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**WARRANT FOR SPECIAL
TOWN MEETING FEBRUARY 26, 2001**

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the Town Meeting Representatives of said Chelmsford to meet in the Senior Center, Groton Road, North Chelmsford on Monday, the twenty-sixth of February, at 7:30 p.m. in the evening then and there to act upon the following articles, VIZ:

ARTICLE 1. To see if the Town will vote to accept Sections 3 to 7, inclusive, of Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act, by approving a surcharge on real property for the purposes permitted by said Act, including the acquisition, creation and preservation of open space, the acquisition and preservation of historic resources, the acquisition, creation and preservation of land for recreational use, the creation, preservation and support of community housing, and the rehabilitation and restoration of such open space, historic resources, land for recreational use and community housing that is acquired or created as provided under said Act; to determine the amount of such surcharge on real property as a percentage of the annual real estate tax levy against real property; to determine whether the Town will accept any of the exemptions from such surcharge permitted under Section 3(e) of said Act; or act in relation thereto.

SUBMITTED BY: **Board of Selectmen**

ARTICLE 2. To see if the Town will vote, pursuant to the provisions of MGL c. 44B, §5, to amend the Chelmsford Code, Chapter 19, to adopt a new general by-law creating a Community Preservation Committee to read as follows:

Chapter 19

Community Preservation Committee

§ 19-1. Establishment; appointment of members; membership; terms of office.

There is hereby established a Community Preservation Committee, consisting of nine (9) voting members, pursuant to the provisions of MGL, c. 44B, §5. The composition of the Committee, the appointing authority and the terms of office for the Committee members shall be as follows

A. Membership.

- (1) One member of the Conservation Commission as designated by the Commission;
- (2) One member of the Historical Commission as designated by the Commission;
- (3) One member of the Planning Board as designated by the Board;
- (4) The Public Works Director, whose responsibilities include the duties of the Board of Park Commissioners established under MGL c. 45, §2, or his designee;
- (5) One member of the Housing Authority as designated by the Authority;
- (6) One member of the Finance Committee as designated by the Committee;
- (7) The Community Development Director;
- (8) The Town Manager, or the Town Manager's designee; and
- (9) One member of the Board of Selectmen, as designated by the Board of Selectmen.

B. Each member of the Committee shall serve for a term of three years or until the person no longer serves in the position or on the board or committee as set forth above, whichever is earlier.

C. Should any of the officers and commissions, boards or committees listed in this section no longer be in existence for whatever reason, the Town Manager shall appoint a suitable person to serve in his or her place.

D. Any member of the Committee may be removed for cause by his or her respective appointing authority after hearing.

§ 19-2. Duties.

A. The Community Preservation Committee shall study the needs, possibilities and resources of the town regarding community preservation. The Committee shall consult with existing municipal boards, including the Conservation Commission, the Historical Commission, the Planning Board, the Department of Public Works, and the Housing Authority, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the Committee shall hold one annual public informational hearing, or more, at its discretion, on the needs, possibilities and resources of the town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the town.

B. The Community Preservation Committee shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space, for the acquisition and preservation of historic resources, for the acquisition, creation and preservation of land for recreational use, for the creation, preservation and support of community housing and for rehabilitation or restoration of such open space, historic resources, land for recreational use and community housing that is acquired or created as provided in this section. With respect to community housing, the Community Preservation Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

C. The Community Preservation Committee may include in its recommendation to the Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending funds for general purposes that are consistent with community preservation.

D. In every fiscal year, the Community Preservation Committee must recommend either that the legislative body spend or set aside for later spending not less than 10% of the annual revenues in the Community Preservation Fund for:

- (1) Open space (not including land for recreational use);
- (2) Historic resources; and
- (3) Community housing.

§ 19-3. Conduct of meetings; approval of actions; cost estimates.

- A. The Community Preservation Committee shall comply with the provisions of the Open Meeting Law, MGL c. 39, §23B. The Committee shall not meet or conduct business without the presence of a majority of the members of the Community Preservation Committee.
- B. The Community Preservation Committee shall approve its actions by majority vote.
- C. Recommendations to the Town Meeting shall include the Committee's anticipated costs.

§ 19-4. Amendments.

This chapter may be amended from time to time by a majority vote of the Town Meeting, consistent with the provisions of MGL c. 44B.

§ 19-5. Severability.

In case any section, paragraph or part of this chapter is for any reason declared invalid or unconstitutional by any court, every other section, paragraph or part shall continue in full force and effect.

§ 19-6. When effective.

Provided that the Community Preservation Act, MGL c. 44B, is accepted at the 2001 Annual Town election, this chapter shall take effect upon approval by the Attorney General of the Commonwealth and after all requirements of MGL c. 40, §32, have been met. Each appointing authority shall have 30 days after approval by the Attorney General to make its appointments.

;or act in relation thereto.

Submitted by: **Board of Selectmen**

ARTICLE 3. To see if the Town will vote to amend the Fiscal Year 2001 Operating Budget as voted under Article 2 of the Annual Town Meeting held on April 24, 2000 as amended by the vote passed under Article 4 of the Annual Town Meeting held on October 16, 2000 by making the following changes:

Increase Line Item # 5, Public Safety Personnel, by a certain sum

Increase Line Item # 6, Public Safety Expenses, by a certain sum

Increase Line Item # 14, Library Personnel, by a certain sum

And that the Town transfer and appropriate a certain sum from available funds to defray such changes; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 4. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$20,000 to the Special Revenue Historical Grants Account to match a grant from the Massachusetts Historical Commission for the preservation of the Forefathers Burying Ground; or act in relation thereto.

SUBMITTED BY: **Town Manager**
Cemetery Commission

ARTICLE 5. To see if the Town will vote to transfer the care, custody, management, and control of the property known as Forefathers Burying Ground, being the land shown on the Town of Chelmsford, Board of Assessors Map No. 184, as Lot. No. 11, from the Cemetery Commission for cemetery purposes to the Cemetery Commission for cemetery purposes and for the purpose of granting a preservation restriction to the Commonwealth of Massachusetts, by and through the Massachusetts Historical Commission (the “MHC”), and to authorize the Cemetery Commission to grant such preservation restriction to the MHC, in perpetuity, by which the Town will covenant to maintain the property in a manner satisfactory to the MHC and not alter the property unless the MHC

determines that the alteration will not impair the characteristics which contribute to the historical integrity of the property; or act in relation thereto.

SUBMITTED BY: Cemetery Commission

ARTICLE 6. To see if the Town will vote to transfer the care, custody, management and control of the following described parcel of land to the Board of Selectmen to be held for the purpose of conveyance and to authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any, held by the Town in a certain portion of a parcel of land on 27A Freeman Road shown as Map 0142, Block 0058, Lot 0515, containing 43,560 square feet more or less, and more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 2655, Page 92; or act in relation thereto.

SUBMITTED BY: Board of Selectmen

ARTICLE 7. To see if the Town will vote to transfer the care, custody, management and control of the following described parcel of land to the Board of Selectmen to be held for the purpose of conveyance and to authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any, held by the Town in a certain portion of a parcel of land on Willis Drive shown as Map 18, Block 41, Lot 5, containing 3,250 square feet more or less, and more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 2153, Page 302; or act in relation thereto.

SUBMITTED BY: Board of Selectmen

ARTICLE 8. To see if the Town will vote pursuant to Massachusetts General Laws, Chapter 82, Section 21, that public conveyance and necessity require that a portion of the accepted way known as Monmouth Street as hereinafter described shall be discontinued and all public rights in any and all such portions of said streets, and/or town ways relative to said street shall be henceforth discontinued and abandoned; said street is more particularly described as follows: That portion of Monmouth Street on a plan entitled "Proposed Discontinuance Parcel 'A', Town Meeting, 2001, on file in the Town Engineer's Office, and to transfer the care, custody, management, and control of such parcel of land to the Board of Selectmen to be held for the purpose of conveyance, and authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any, held by the Town in the above parcel of land located on the discontinued portion of said way/road; or act in relation thereto.

SUBMITTED BY: Board of Selectmen

ARTICLE 9. To see if the Town will vote to rescind the Sewer Title V authorization to borrow funds under Article 30 of the Town Meeting held on May 1, 1997, in the amount of \$100,000; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 10. To see if the Town will vote to authorize the Town Manager to execute a contract with FMC, Inc. for management of the Chelmsford Forum for a term not to exceed five years; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 11. To see if the Town will vote to acquire by purchase, gift, eminent domain, or otherwise, the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Dalton Road Sidewalk Project, Phase II, prepared by the Chelmsford Town Engineer," a copy of which is on file in the Office of the Town Engineer and is incorporated herein by reference, for the purpose of sidewalk construction on Dalton Road from Priscilla Road to North Road, and to vote to raise and appropriate, transfer from available funds, or borrow a sum of money for said acquisition, or to take any other action relative thereto.

SUBMITTED BY: **Board of Selectmen**

ARTICLE 12. To see if the Town will vote to transfer the care, custody, management and control of the following described parcel of land to the Board of Selectmen to be held for the purpose of conveyance and to authorize the Board of Selectmen to grant to the Chelmsford Water District an interest in fee simple, or any lesser interest including but not limited to an easement, in all or any portion of the land located off Smith Street, currently owned by the Town of Chelmsford and more particularly described as Map 40, Block 131, Lot 42 of the Board of Assessors Maps, and in an instrument recorded at the Middlesex North District Registry of Deeds in Book 10749, Page 280, for the purpose of establishing and protecting a new well and the well field to be established to supplement the current public water supply and facilities in existence at said location, and to authorize the Town Manager to negotiate and undertake such actions as required to grant such interest on terms and conditions as the Board shall deem necessary and appropriate and in the public interest, for such use by the Chelmsford Water District, or act in relation thereto.

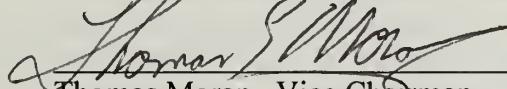
SUBMITTED BY: **Board of Selectmen**
Town Manager

Hereof fail not and make return of this warrant with your doings at the time and place of said meeting.

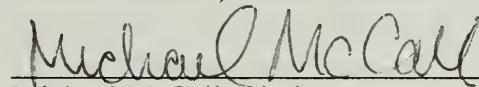
Given under our hands this 7 th day of February, 2001.

BOARD OF SELECTMEN OF THE TOWN OF CHELMSFORD

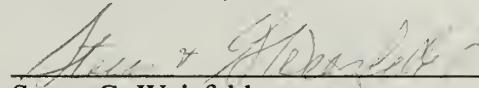
Philip Eliopoulos, Chairman



Thomas Moran, Vice Chairman



Michael McCall, Clerk



Stuart G. Weisfeldt



William Dalton



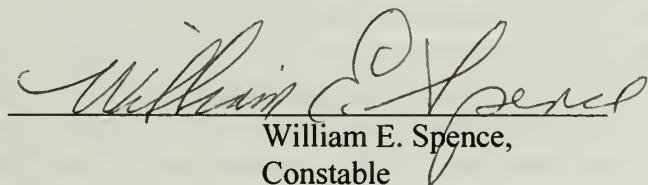
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

February 8, 2001

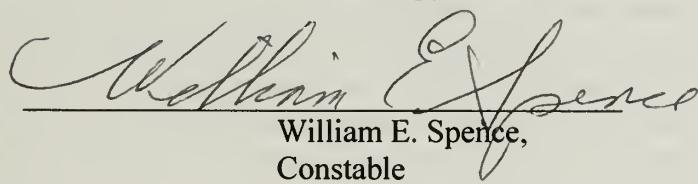
Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Town Office Gymnasium, Harrington School Gymnasium, Harrington School Gymnasium, Westlands School Cafetorium, Byam School Cafetorium, Westlands School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, Town Office Gymnasium and Town Office Building Lobby.

Signed:



William E. Spence,
Constable

A True Copy Attest,



William E. Spence,
Constable

SPECIAL TOWN MEETING
FEBRUARY 26, 2001

The Special Town Meeting was called to order at 7:35 PM at the Senior Center. The Moderator Dennis E. McHugh recognized the presence of a quorum. There were 136 Town Meeting Representatives present. The Moderator pointed out the fire exits located in the room, and then went over the rules and procedures of the meeting, regarding amending motions and discussions.

Selectman Philip Eliopoulos moved that the reading of the Constable's return of the warrant be waived. Motion carried, unanimously. Selectman Philip Eliopoulos moved that the reading of the entire warrant be waived. Motion carried, unanimously.

UNDER ARTICLE 1. The Moderator read the motion, the Town Manager Bernard Lynch explained the article. This was the main reason why the special Town Meeting had been called. This article is the first step required in order for the Town to accept the Community Preservation Act. This concept has been around for at least fourteen years, known as a land transfer act. Its purpose is to provide communities with funding mechanism to buy open space, provide funds for historic preservation of buildings and affordable housing. The funds would be accumulated yearly by way of a surcharge on the property tax. The requirement is that 10% of the total yearly amount be given to each of these three categories.. Any community that adopts this act will have access to additional state funds which are tied to a revenue that is collected by the Registry of Deeds. He stressed that this is another reason why it is important to act now before the state funding is reduced because of the number of the communities applying for these funds. The categories are three goals that the Board of Selectmen, the Town Administration, the Master Plan Committee, the Housing Authority and the Historic Commission all have been advocating. The first \$100,000. in residential property value would be exempt. He gave a further example. If a property is worth \$200,000. minus \$100,000. exempted which would leave a balance of \$100,000. Take the current tax rate of \$15.69 per \$1000., times \$100,000. This equals \$1569. in applicable property tax., times ½% CPA surcharge rate would give a total surcharge payment of \$7.84. He estimated that the total revenue would be between \$200,000. to \$230,000. in one year. The funds can accumulate, they do not have to be spent in any given year. It can be used for debt service, however, before any disbursement is made a Town Meeting vote is required. If the Body votes to pass the article then a question must be placed on the April 3rd town ballot and if approved it will go in effect the next fiscal year.

John Wilder questioned if the funds had to be spent each year. No, as long as the money is put aside into each category. The Manager gave an example, if \$150,000. was collected then \$15,000. must be put towards each category. John Wilder asked how much state funding could be expected. The Manager said that it has been estimated that for the first year it could be 75% reimbursement, it would matter on the number of communities involved. Susan Graves asked why was ½% decided. He said that the choice was anything above zero to 3%. The Board of Selectmen felt that this was enough to start the program, it was simple and affordable and made sense. There are other needs of the Town. Dennis Ready questioned Town Meeting's role in the funding. The Manager explained that the Committee mentioned in Article 2 would review the needs and the proposal of any use of the funds. A Town Meeting vote is required before any monies could be disbursed. The Manager asked Town Counsel to further explain. Laura

Goldberg Acting Town Counsel explained that the Committee had to make a positive recommendation to the Body in order to disburse any monies. David McLachlan asked if the funds could be used to pay existing debts, such as the country club land. No, it could not. Robert Hall spoke in favor of the article. Leonard Richards spoke in favor. The Manager read letter of recommendations from the Business Association. Chelmsford Water District and the Chelmsford Housing Authority. Mark Connor questioned if the percentage could be raised. Yes it could, however this is the percentage that the Board recommended. The Moderator asked for the Finance Committee's recommendation. The Finance Committee recommended the article. The Board of Selectmen recommended the article. Robert Morse moved to amend the article by increasing the percentage from .05% to 08%. He explained his reason for the increase. He felt that the increase wasn't that much and this would make more of an impact on the total funds available. He went over a graph that he had provided showing the formulas that various percentages would accumulate. David McLachlan, Chairman of the Conservation Commission spoke against the increase. The Board members were in favor of the article with the original .05%. Barry Balan spoke against the article. John Wilder questioned the figures on the chart. Barbara Scavezze and Peggy Dunn spoke in favor of the article. Dennis Ready moved the question to stop debate. The Moderator asked for a show of hands, motion carried. He then asked for a show of hands on the motion to amend. Motion defeated. John Wilder spoke against the article and asked that the Body defeat it. Robert Hall spoke in favor. Linda Prescott Chairman of the Historical Commission, Rebecca Markee and Becky Warren of the Conservation Land Trust all spoke in favor of the article. Dennis Ready moved the question. The Moderator asked if there was a need for further debate, hearing none he asked for a show of hands. **Motion carried.** The article reads as follows:

Selectman Philip Eliopoulos moved that the Town vote to accept Sections 3 to 7, inclusive, of Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act, by approving a surcharge on real property for the purposes permitted by said Act, including the acquisition, creation and preservation of open space, the acquisition and preservation of historic resources, the acquisition, creation and preservation of land for recreational use, the creation, preservation and support of community housing, and the rehabilitation and restoration of such open space, historic resources, land for recreational use and community housing that is acquired or created as provided under said Act; that the amount of such surcharge on real property shall be .5% of the annual real estate tax levy against real property; and that the Town accept the following exemption from such surcharge permitted under Section 3(e) of said Act: \$100,000 of the value of each taxable parcel of residential real property.

UNDER ARTICLE 2. Dwight Hayward moved to waive the reading of the article. The Moderator asked for a show of hands, motion carried, unanimously. The Town Manager came forward and explained the article. This article is the second part of article one. He felt that the Committee should be made up of nine members. The State recommended the first five positions shown in the article, he added the additional four positions. The different categories addressed in the Act would benefit from their input. The Finance Committee was not in favor of the current proposed committee members and would offer an amendment. The Board of Selectmen were in favor of the article and aware of the Finance Committee's up coming amendment. regarding the

change of the membership. Clare Jeannotte, Chairman of the Finance Committee moved to amend the article. In section 19.1 A. Membership

Eliminate (6) One member of the Finance Committee as designated by the Chairman (8) The Town Manager, or the Town Manager's designee.

Renumber and add: "Two citizens of the Town of Chelmsford to be appointed by the Town Manager who are neither a municipal employee of the Town or an elected or appointed Town official except that they may be Town Meeting members"

In section 19.3

Add new section between section A and B to read "At the first meeting in each fiscal year, a chairman of the Community Preservation Committee shall be elected by a majority vote" Current sections B and C to become sections C and D.

Clare Jeannotte explained the purpose of the amendment. There were four positions that are appointed by the Town Manager on the Committee and three elected positions. The Committee felt that it was important that the citizens of the Town be represented on this committee. A discussion took place. John Wilder questioned the makeup of elected officials vs appointed officials. Judith Mallette moved to amend the amendment "To award the appointing authority of the members of the CPA Committee to the Town Moderator. Liz Marshall spoke in favor of both of the amendments. Roger Sumner and John Wilder spoke against the Mallette amendment. Tom Newcomb spoke against the amendment. The Finance Committee was against the Mallette amendment. The Board of Selectmen recommend against the Mallette amendment, but were in favor of the Finance Committee's amendment. The Moderator asked for a show of hands on the Mallette amendment to have the Moderator make the appointments. Motion defeated. He asked if there was any need for further discussion on the Finance Committee's amendment. Bill Martin spoke in favor. The Board of Selectmen were in favor of the amendment. The Finance Committee was in favor of their amendment. The Moderator asked for a show of hands, **motion carried to amend**. The Moderator asked for a show of hands on the article as amended. **Motion carried**. The article reads as follows:

Selectman Philip Eliopoulos moved that the Town vote, pursuant to the provisions of MGL c. 44B, §5, to amend the Chelmsford Code, Chapter 19, to adopt a new general by-law creating a Community Preservation Committee to read as follows:

Chapter 19

Community Preservation Committee

§ 19-1. Establishment; appointment of members; membership; terms of office.

There is hereby established a Community Preservation Committee, consisting of nine (9) voting members, pursuant to the provisions of MGL, c. 44B, §5. The composition of the Committee, the appointing authority and the terms of office for the Committee members shall be as follows

A. Membership.

(1) One member of the Conservation Commission as designated by the Commission;

- (2) One member of the Historical Commission as designated by the Commission;
- (3) One member of the Planning Board as designated by the Board;
- (4) The Public Works Director, whose responsibilities include the duties of the Board of Park Commissioners, established under MGL c. 45, §2, or his designee;
- (5) One member of the Housing Authority as designated by the Authority;
- (6) The Community Development Director;
- (7) One member of the Board of Selectmen, as designated by the Board of Selectmen.
- (8) Two Citizens of the Town of Chelmsford, to be appointed by the Town Manager who are neither a municipal employee of the Town or an elected or appointed Town Official except that they may be Town Meeting members.

B. Each member of the Committee shall serve for a term of three years or until the person no longer serves in the position or on the board or committee as set forth above, whichever is earlier.

C. Should any of the officers and commissions, boards or committees listed in this section no longer be in existence for whatever reason, the Town Manager shall appoint a suitable person to serve in his or her place.

D. Any member of the Committee may be removed for cause by his or her respective appointing authority after hearing.

§ 19-2. Duties.

A. The Community Preservation Committee shall study the needs, possibilities and resources of the town regarding community preservation. The Committee shall consult with existing municipal boards, including the Conservation Commission, the Historical Commission, the Planning Board, the Department of Public Works, and the Housing Authority, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the Committee shall hold one annual public informational hearing, or more, at its discretion, on the needs, possibilities and resources of the town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the town.

B. The Community Preservation Committee shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space, for the acquisition and preservation of historic resources, for the acquisition, creation and preservation of land for recreational use, for the creation, preservation and support of community housing and for rehabilitation or restoration of such open space, historic resources, land for recreational use and community housing that is acquired or created as provided in this section. With respect to community

housing, the Community Preservation Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

- C. The Community Preservation Committee may include in its recommendation to the Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending funds for general purposes that are consistent with community preservation.
- D. In every fiscal year, the Community Preservation Committee must recommend either that the legislative body spend or set aside for later spending not less than 10% of the annual revenues in the Community Preservation Fund for:
 - (1) Open space (not including land for recreational use);
 - (2) Historic resources; and
 - (3) Community housing.

§ 19-3. Conduct of meetings; approval of actions; cost estimates.

- A. The Community Preservation Committee shall comply with the provisions of the Open Meeting Law, MGL c. 39, §23B. The Committee shall not meet or conduct business without the presence of a majority of the members of the Community Preservation Committee.
- B. At the first meeting in each fiscal year, a chairman of the Community Preservation Committee shall be elected by a majority vote.
- C. The Community Preservation Committee shall approve its actions by majority vote.
- D. Recommendations to the Town Meeting shall include the Committee's anticipated costs.

§ 19-4. Amendments.

This chapter may be amended from time to time by a majority vote of the Town Meeting, consistent with the provisions of MGL c. 44B.

§ 19-5. Severability.

In case any section, paragraph or part of this chapter is for any reason declared invalid or unconstitutional by any court, every other section, paragraph or part shall continue in full force and effect.

§ 19-6. When effective.

Provided that the Community Preservation Act, MGL c. 44B, is accepted at the 2001 Annual Town election, this chapter shall take effect upon approval by the Attorney General of the

Commonwealth and after all requirements of MGL c. 40, §32, have been met. Each appointing authority shall have 30 days after approval by the Attorney General to make its appointments.

UNDER ARTICLE 3. Town Manager Bernard Lynch moved that the Town vote to amend the Fiscal Year 2001 Operating Budget as voted under Article 2 of the Annual Town Meeting held on April 24, 2000 as amended by the vote passed under Article 4 of the Annual Town Meeting held on October 16, 2000 by making the following changes:

Increase Line Item # 5, Public Safety Personnel, by \$96,295

Increase Line Item # 6, Public Safety Expenses, by \$14,500

Increase Line Item # 14, Library Personnel, by \$16,906

And that the Town transfer and appropriate \$127,701 from FY2001 Supplemental Lottery Funds to defray such changes.

The Town Manager explained that the Fire union settled for 3%, the first year, 4% the second year and 4% increase the last year. The Library union settled for 3% 3.5% and 4%. There was an increase in the clothing allowance and a modification of the call in pay, and a unified number of personal days. The Library Union did use mediation to resolve their differences. The Clerical is the last union to settle and they are heading toward mediation. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 4. Town Manager Bernard Lynch moved that the Town vote to transfer from Free Cash the sum of \$20,000 to the Special Revenue Historical Grants Account to match a grant from the Massachusetts Historical Commission for the preservation of the Forefathers Burying Ground.

The Manager explained that this is to match the grant received from the Massachusetts Historical Commission for the ongoing project of preservation work being done at the Forefathers Cemetery. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 5. Cemetery Superintendent John Sousa moved that the Town vote to transfer the care, custody, management, and control of the property known as Forefathers Burying Ground, being the land shown on the Town of Chelmsford, Board of Assessors Map No. 184, as Lot. No. 11, from the Cemetery Commission for cemetery purposes to the Cemetery Commission for cemetery purposes and for the purpose of granting a preservation restriction to the Commonwealth of Massachusetts, by and through the Massachusetts Historical Commission (the "MHC"), and to authorize the Cemetery Commission to grant such preservation restriction to the MHC, in perpetuity, by which the Town will covenant to maintain the property in a manner satisfactory to the MHC and not alter the property unless the MHC determines that the alteration will not impair the characteristics which contribute to the historical integrity of the property.

The Town Manager explained that this article is the result of the efforts of Superintendent John Sousa and the Board of Cemetery Commissioners, and thanked them for their efforts. The Body responded with a round of applause. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, **motion carried, unanimously**.

UNDER ARTICLE 6. Selectman Philip Eliopoulos moved that the Town vote to transfer the care, custody, management and control of the following described parcel of land to the Board of Selectmen to be held for the purpose of conveyance and to authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any, held by the Town in a certain portion of a parcel of land on 27A Freeman Road shown as Map 0142, Block 0058, Lot 0515, containing 43,560 square feet more or less, and more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 2655, Page 92.

The Town Manager explained that this property was taken for back taxes, there is an abandon house on the property. It is assessed for \$175,000., on a 43,560 sq ft lot. It must go out for competitive bid with \$175,000. being the starting price. David McLachlan of the Conservation Commission said that the house was never finished because it had been built on wetlands and that the Board had stopped the building. The Town Manager explained that the Town will still go out for bid and there will be wording stating that there will be no guarantee that the Board of Appeals will approve. Sam Poulten question why not keep the property as part of the open space project. The Manager explained that the Town would be responsible for removing the building on the property which would be a costly undertaking. Currently there are four parties who have expressed an interest in obtaining the property. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands. The Moderator enforced the 2/3's bylaw and declared that the **motion carried**.

UNDER ARTICLE 7. Selectman Philip Eliopoulos moved that the Town vote to transfer the care, custody, management and control of the following described parcel of land to the Board of Selectmen to be held for the purpose of conveyance and to authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any, held by the Town in a certain portion of a parcel of land on Willis Drive shown as Map 18, Block 41, Lot 5, containing 3,250 square feet more or less, and more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 2153, Page 302.

The Town Manager explained that this property is assessed at \$5400., and currently Jason Hanscom an abutter, is interested in purchasing the property. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, **motion carried, unanimously**.

UNDER ARTICLE 8. Selectman Philip Eliopoulos moved that the Town vote pursuant to Massachusetts General Laws, Chapter 82, Section 21, that public conveyance and necessity require that a portion of the accepted way known as Monmouth Street as hereinafter described

shall be discontinued and all public rights in any and all such portions of said streets, and/or town ways relative to said street shall be henceforth discontinued and abandoned; said street is more particularly described as follows: That portion of Monmouth Street on a plan entitled "Proposed Discontinuance Parcel 'A', Town Meeting, 2001, on file in the Town Engineer's Office, and to transfer the care, custody, management, and control of such parcel of land to the Board of Selectmen to be held for the purpose of conveyance, and authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any, held by the Town in the above parcel of land located on the discontinued portion of said way/road, provided that said discontinuance shall not take effect until the Board of Selectmen has conveyed all rights, title and interest in said parcel.

The Town Manager explained that a Developer wants to put an office building on an adjoining site which is zoned IA. Monmouth St runs through the middle of the land in question. There are no houses on this portion of Monmouth St, the land is vacant which surrounds the street. If this portion of the street would be declared abandon, the Town would sell this portion to the Developer who would then petition for a re-zoning article before building on the site. The price has not yet been determined, appraisal is being done, roughly the price may be \$75,000. The Body asked questions concerning the residents who live on the street now. Some residents, who are closest to the land in question, have been approached by the developer to sell their property. Sheila Pichette questioned what will happen to the residents left on the street who do not sell regarding Town services? The Manager explained that nothing would change. The portion of the street left, would still be accepted and maintained by the Town, trash pick up and snow plowing will still be done. The portion of the street in question is already zoned IA. Residents of the street could not prevent any building of a business that would meet the zoning by-laws. Monmouth St is an accepted public way and the business has the right to access. Attorney Douglas Hausler who represented the Developer said that this is the first step of the process. Currently there is a building at the end of Apollo Drive, that you can see from Monmouth St. If this article passes, this is where the access would be to the proposed office building, from Apollo Dr, not Monmouth St. The section of Monmouth St left would be maintained as residential. Fran McDougall spoke of concerns with traffic on Billerica Rd (rt 129). The Manager said that a study is being done regarding a traffic light for that area closest to Apollo Dr. A lengthy discussion took place. Cathy Campbell a resident of Monmouth St, that will remain residential, expressed concerns and wanted to know who would make decisions regarding lighting, noise, buffers. Susan Carter member of the Planning Board said this would fall under the Planning Board's jurisdiction when the article came before the Board for review. Roger Sumner moved the question to stop debate. The Moderator asked for a show of hands on the motion, **motion carried, unanimously**. He then asked for a show of hands on the article to abandon Monmouth St, which left the Chair in doubt. He asked that the following tellers come forward and conduct a hand count. Dorothy Frawley, Patricia Plank, Lucy Simonian, John Maleski.

While the tellers were conducting the hand count, the Moderator made the following announcement. The Annual Spring Town Meeting would begin on April 30th. The Annual Fall Town Meeting would begin on October 15th he asked that the Town Meeting Representatives make note of these dates.

The result of the hand count **Yes 78 No 44 2/3's is 82** the motion is defeated.

UNDER ARTICLE 9. Town Manager Bernard Lynch moved that the Town vote to rescind the Sewer Title V authorization to borrow funds under Article 30 of the Town Meeting held on May 1, 1997, in the amount of \$100,000.

The Town Manager explained that this is monies that had been put aside to enable the Board of Health to set up a loan program to assist individuals who would need new septic systems as a result of the title five regulations being adopted. In the last five years there have been no loans therefore no need to keep this account, it will reduce the amount of indebtedness. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 10. The Moderator read the article to the Body. The Town Manager explained that when the Forum was taken over by the Town, the Town hired a management company to maintain the property. This has been done with the golf course and like the golf course has worked well. FMC has done an outstanding job. It has generated approximately \$140,000. in revenue for the Town, which will be used for upcoming capital costs not covered by the management agreement. The final outcome is for the Forum to be self supporting and in the long term provide revenue to the general fund. The original contract was for three years with a two year option for renewal. The Chelmsford Youth Hockey and figure skating groups have been pleased with the Company. Richard Allison questioned why FMC was the choice company. The Manager explained that they have developed a good working relationship with the Town. David McLachlan of the Conservation Commission questioned who was responsible for the parking lot, FMC or the Town? The Manager said it was the Towns. Sam Poulten moved to amend the article by adding the wording "an additional two years on the present contract." He felt that this wording made more sense than the wording in the original article. The Moderator asked for a show of hands on the motion to amend. **Motion carried.** The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, **motion carried, unanimously.** The article reads as follows.

Bernard Lynch moved that the Town vote to authorize the Town Manager to execute a contract with FMC, Inc. for management of the Chelmsford Forum an additional two years on the present contract.

UNDER ARTICLE 11. Selectman Philip Eliopoulos moved that the Town vote to acquire by purchase, gift, eminent domain, or otherwise, the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Dalton Road Sidewalk Project, Phase II, prepared by the Chelmsford Town Engineer," a copy of which is on file in the Office of the Town Engineer and is incorporated herein by reference, for the purpose of sidewalk construction on Dalton Road from Priscilla Road to North Road, and to transfer from Free Cash, \$3,000 for said acquisition, or to take any other action relative thereto.

The Town Manager explained that this is a continuous project of the Dalton Road sidewalk area. Once completed there would be sidewalk access to the Center of Town. He felt it was a necessary project for the Town to complete. The Finance Committee recommended the article.

The Board of Selectmen recommended the article. The Moderator asked for a show of hands, **motion carried, unanimously.**

Selectman William Dalton stated that more discussion was needed concerning article 8. The article would allow only the discontinuance of the Street. He felt that the actual Boards involved would then have the opportunity to address any and all issues. He asked for reconsideration of the article. The Moderator asked if there was any need for discussion, hearing none he asked for a show of hands. **Motion carried.**

UNDER ARTICLE 8 Dwight Hayward moved that the reading of the article be waived. Motion carried. A discussion took place. Glenn Thoren spoke in favor of the article. Brian Latina spoke against the article. He felt that a number of people had left the meeting and it wasn't fair to bring it back up. Dean Carmeris spoke in favor. Sam Poulten questioned if the article could be taken up at the Spring Town Meeting? The Manager said that it could be added to the warrant. More discussion took place. Dennis Ready moved the question to stop debate. The Moderator asked for any discussion, hearing none he asked for a show of hands, **motion carried, unanimously.** The Moderator then asked for a show of hands on the motion to reconsider the article, **motion defeated.**

UNDER ARTICLE 12. Dwight Hayward moved that the reading of the article be waived. The Moderator asked for a show of hands on the motion, **motion carried, unanimously.** The Town Manager explained that this is 3000 sq feet of land. This land would be used to protect and expand the current well of the Chelmsford Water District. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, **motion carried, unanimously.** The article reads as follows:

Selectman Philip Eliopoulos moved that the Town vote to transfer the care, custody, management and control of the following described parcel of land to the Board of Selectmen to be held for the purpose of conveyance and to authorize the Board of Selectmen to grant to the Chelmsford Water District an interest in fee simple, or any lesser interest including but not limited to an easement, in all or any portion of the land located off Smith Street, currently owned by the Town of Chelmsford and more particularly described as Map 40, Block 131, Lot 42 of the Board of Assessors Maps, and in an instrument recorded at the Middlesex North District

Registry of Deeds in Book 10749, Page 280, for the purpose of establishing and protecting a new well and the well field to be established to supplement the current public water supply and facilities in existence at said location, and to authorize the Town Manager to negotiate and undertake such actions as required to grant such interest on terms and conditions as the Board shall deem necessary and appropriate and in the public interest, for such use by the Chelmsford Water District, or act in relation thereto.

Seeing that there was no further business at hand, Dwight Hayward moved to adjourn the meeting. The Moderator asked for a show of hands, **motion carried, unanimously**. The Meeting adjourned at 10:45 PM.

Dennis E. McHugh, Moderator

Mary E. St.Hilaire, Town Clerk

**WARRANT FOR ANNUAL
TOWN ELECTION APRIL 3, 2001**

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in their several polling places, VIZ:

- Precinct 1. Town Offices Gymnasium
- Precinct 2. Harrington Elementary School Gymnasium
- Precinct 3. Harrington Elementary School Gymnasium
- Precinct 4. Westlands School Cafetorium
- Precinct 5. Byam School Cafetorium
- Precinct 6. Westlands School Cafetorium
- Precinct 7. McCarthy Middle School, Small Gymnasium
- Precinct 8. McCarthy Middle School, Small Gymnasium
- Precinct 9. Town Offices Gymnasium

On Tuesday, the 3rd day of April, 2001 being the first Tuesday in said month at 7:00 a.m. until 8:00 p.m. for the following purposes:

To bring in their votes for the following officers:

- Two Selectmen for three years;
- Two School Committee Member for three years;
- Two Library Trustees for three years;
- One Board of Health Member for three years;
- Two Planning Board Members for three years;
- One Planning Board Alternate Member for two years

Two Sewer Commissioners for three years;

One Housing Authority Member for five years;

One Cemetery Commissioner for three years;

One Constable for three years.

Question 1 *

Question 2 *

*see wording of question at end of warrant
and to bring in their votes for the following:

Fifty-four Representative Town Meeting Members for three years in
Precincts 1 through 9

1 Representative Town Meeting Member for an unexpired two year
Term in Precinct 1

; and to meet in the Senior Center, 75 Groton Road, North Chelmsford, on Monday, the thirtieth day of April, at 7:30 p.m. in the evening, then and there to act upon the following articles, VIZ:

Article 1. To hear reports of the Town Officers and Committees; or act in relation thereto.

Board of Selectmen

Article 2. To see if the Town will vote to transfer a certain sum of money from Conservation fees under Wetlands Special Reserve Fund to reduce the Conservation Commission Budget Fiscal Year 2002; or act in relation thereto.

Town Manager
Conservation Commission

Article 3. To see if the Town will vote to transfer a certain sum of money from Sewer Betterments, Special Revenue, to reduce the exempt portion of debt and interest in the Fiscal Year 2002 Budget; or act in relation thereto.

Town Manager
Sewer Commission

Article 4. To see if the Town will vote to transfer from Sewer Rate Relief Funds, Special Revenue, a certain sum of money to reduce the exempt portion of debt and

interest in the Fiscal Year 2002 Budget and a certain sum of money to acquire the following sewer equipment otherwise funded by sewer user fees:

3/4 Ton Pick-up Truck	\$ 33,000
Southwell Pump Station Rebuild	\$ 25,000
Flowmeter	\$ 30,000
Knifegate	\$ 75,000

; or act in relation thereto.

Town Manager
Sewer Commission

Article 5. To see if the Town will vote to transfer from the Stabilization Fund a certain sum of money to be used to balance the Annual Operating Budget for the fiscal year beginning July 1, 2001; or act in relation thereto.

Town Manager

Article 6. To see if the Town will vote to raise and appropriate, or transfer from available funds a certain sum of money to be used to fund certain one-time costs associated with the retirement of employees of the Town working in the School Department; or act in relation thereto.

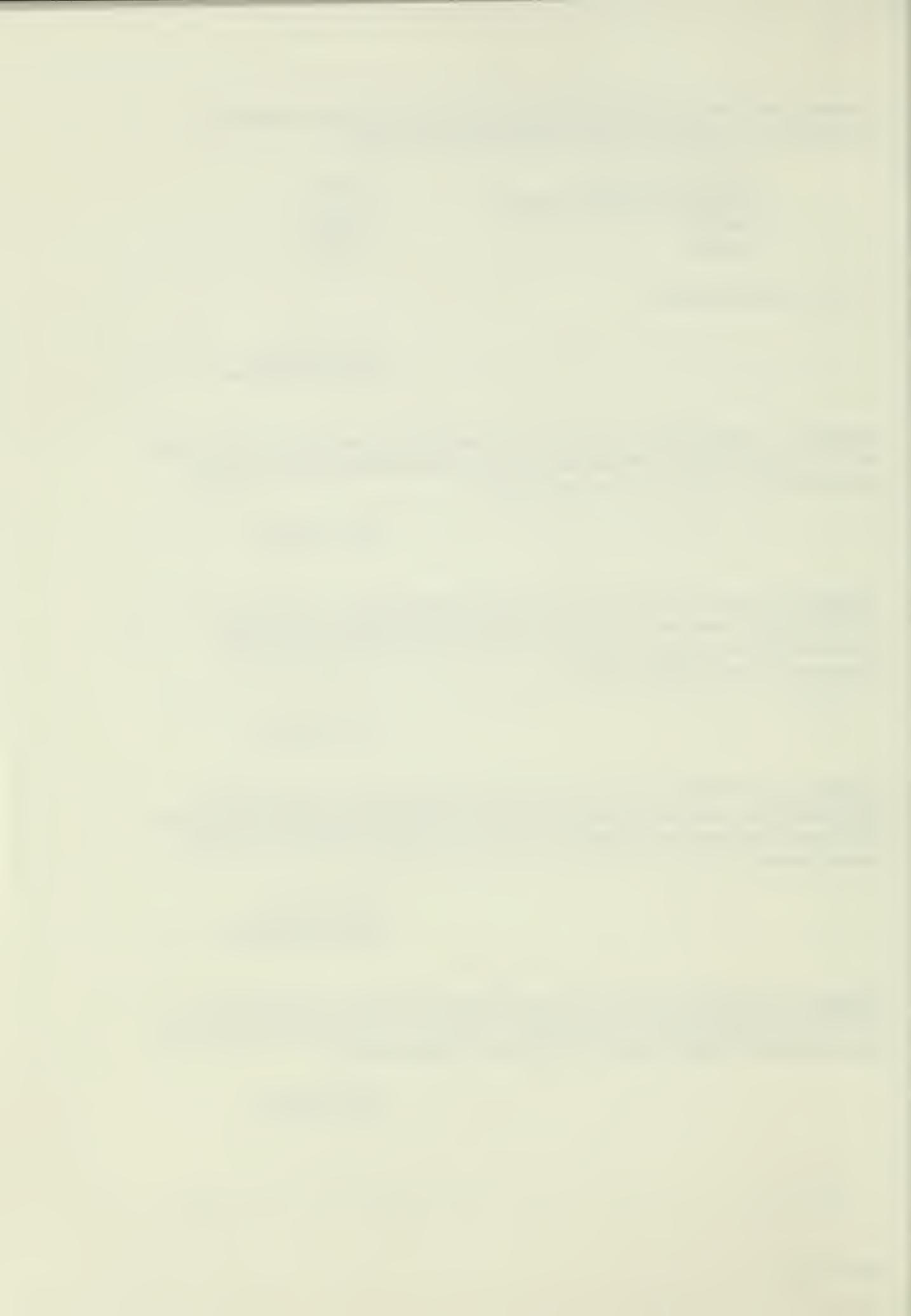
Town Manager

Article 7. To see if the Town will vote to raise and appropriate, or transfer from available funds a certain sum of money to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws Chapter 40, Section 6; or act in relation thereto.

Town Manager
Finance Committee

Article 8. To see if the Town will vote to raise and appropriate, or transfer from available funds, such sums of money as may be required to defray Town charges for the fiscal period July 1, 2001 to June 30, 2002; or act in relation thereto.

Town Manager



Article 9. To see if the Town will vote to transfer a certain sum of money from the sale of the Graves and Lots to the Cemetery Improvement and Development Fund; or act in relation thereto.

Cemetery Commission

Article 10. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, a certain sum of money to engage a private accounting firm to prepare an audit of all accounts in all departments in the Town of Chelmsford; or act in relation thereto.

Town Manager

Article 11. To see if the Town will vote to raise and appropriate or transfer from available funds, a certain sum of money for the purpose of funding the sand purchase approved by the Town under Article 4 of the 1998 Special Town Meeting held on April 27, 1998; or act in relation thereto.

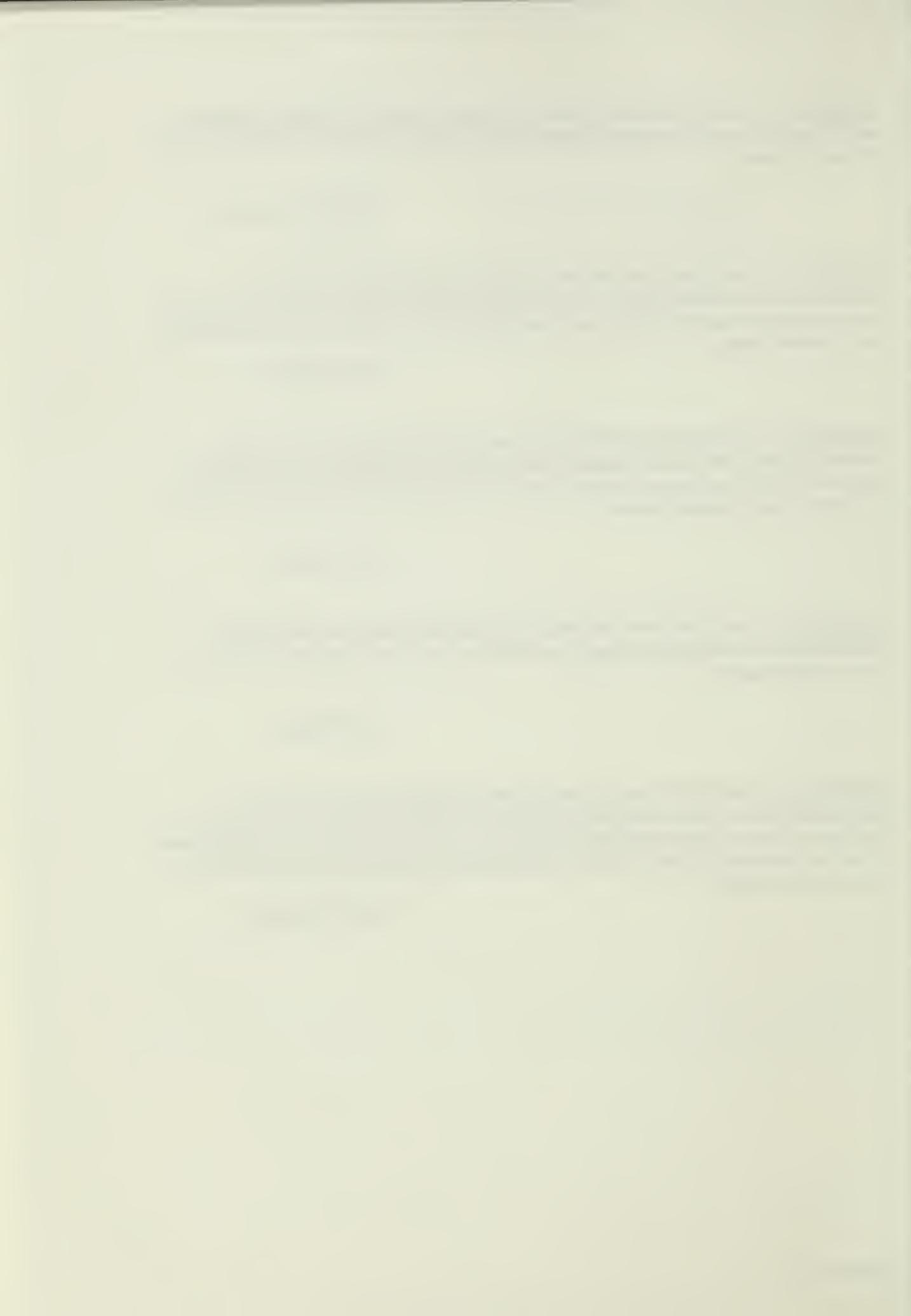
Town Manager

Article 12. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money with which to meet bills from previous years; or act in relation thereto.

Town Manager

Article 13. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, and/or borrow a certain sum of money to engage an architectural firm to prepare preliminary designs for building additions and improvements to the McCarthy Middle School, Parker Middle School and Chelmsford High School; or act in relation thereto.

School Department



Article 14. To see if the Town will vote to appropriate a certain sum of money for the following capital projects:

Function	Department /Location	Project	Expenditure
Municipal Administration	<u>Town Clerk's Office</u>	Voting Machines	\$64,000
		<i>Municipal Administration Subtotal</i>	<i>\$64,000</i>
Public Safety	<u>Police</u>	Cruiser Replacement	\$141,500
		Furnishings & Equipment	\$170,000
		Communications & Dispatch Center	\$250,000
		Computer Equipment Replacement	\$165,000
	<u>Fire</u>	Staff Vehicle	\$28,000
		Pick-up/Brush Truck Combination	\$45,000
		<i>Public Safety Subtotal</i>	<i>\$799,500</i>
Public Works	<u>DPW</u>	Drainage Improvements	\$60,000
		Six-Wheel Dump Truck	\$80,000
		Road Maintenance	\$175,000
		East Ballfield Construction	\$80,000
		Ten-Wheel Dump Truck	\$93,000
		<i>Public Works Subtotal</i>	<i>\$488,000</i>
Community Services	<u>Library</u>	Dutton (pink) House Improvements	\$50,000
		<i>Public Works Subtotal</i>	<i>\$50,000</i>
Public Education	<u>Chelmsford High</u>	Library Book Security System	\$25,000
	<u>Byam Elementary</u>		
	<u>Harrington Elementary</u>	Electrical Upgrades to All Four	
	<u>South Row Elementary</u>	Elementary Schools	\$735,000
	<u>Westlands Elementary</u>		
	<u>Parker Middle</u>		
	<u>Byam Elementary</u>		
	<u>Harrington Elementary</u>	Fire Alarm Upgrades to All Four	
	<u>South Row Elementary</u>	Elementary Schools & Parker	\$300,000
	<u>Westlands Elementary</u>		
	<u>Technology</u>	Administrative Technology	\$30,000
		Classroom Computers	\$100,000
	<u>Maintenance</u>	Mower Replacement	\$20,000
		Jacobsen Sweeper	\$20,000
		Pick-up Truck	\$25,000
		<i>School Department Subtotal</i>	<i>\$1,255,000</i>
CAPITAL PROJECTS TOTAL			\$2,656,500



and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, and/or borrow a certain sum of money to fund these obligations; or act in relation thereto.

Board of Selectmen
Town Manager
Capital Planning Committee

Article 15. To see if the Town will vote to accept the following mentioned streets, as laid out by the Board of Selectmen and shown by their reports duly filed in the office of the Town Clerk:

Research Place
Hemlock Drive

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; and to see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, with trees thereon, by purchase, eminent domain, or otherwise, for the purpose of securing traffic safety and road improvements, and to see if the Town will vote to raise and appropriate, transfer and appropriate from the Stabilization Fund, and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; and to see if the Town will vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto; or act in relation thereto.

Board of Selectmen

Article 16. To see if the Town will vote to authorize a revolving fund under Massachusetts General Laws C. 44, S. 53E ½ for the Council on Aging for Fiscal Year 2001. The receipts to be credited to the fund shall be from the collection of fees from the implementation of a Senior Trip program. The Council on Aging shall be authorized to spend money from the fund for the purpose of providing transportation necessary for implementing a Senior Trip program. Expenditures from the Senior Trip program revolving fund shall be limited to a certain sum during Fiscal Year 2001; or act in relation thereto.

Town Manager
Council on Aging

Article 17. To see if the Town will vote to amend the Chelmsford Code, Chapter 195, Zoning, Section 195-5, Use Regulation Schedule, Section C, Commercial Uses, by inserting a new use category number 28 entitled Body Art Establishment:

Principal Use	RA	RB	RC	RM	CA	CB	CC	CD	CV	IA	IS	RMH	CX	P	OS
28. Body Art Establishment	N	N	N	N	Y	Y	Y	Y	Y	N	N	N	N	N	N

;and by amending Article XX, Terminology, Section 195-108 Word Usage and Definitions, by inserting definitions of Body Art and Body Art Establishment:

BODY ART - The practice of physical body adornment by permitted establishments and practitioners using, but not limited to, the following techniques: body piercing, tattooing, cosmetic tattooing, branding, and scarification. This definition does not include practices that are considered medical procedures by the Board of Registration in Medicine, such as implants under the skin, which are prohibited.

BODY ART ESTABLISHMENT- any establishment which provides body art services as a part of its business.

;or act in relation thereto.

Community Development Coordinator

Article 18. To see if the Town will vote to amend the Town of Chelmsford Zoning By-Law and Official Zoning Map by removing the following properties situated on the easterly side of Glen Avenue, from Limited Industrial District (IA) and placing all of said properties in a Residence C District (RC):

The land in said Chelmsford, with the buildings and improvements thereon, situated on the easterly side of Glen Avenue, shown on a plan of land entitled "Building Lots in Chelmsford, Mass. belonging to William S. Nichols. Scale 50 feet to an inch Plotted Jan. 1922 by Henry O. Brooks, Civil Engineer, from outline survey made by Osgood and Snell in 1895," which plan is recorded with the Middlesex North District Registry of Deeds at Plan Book 44, Plan 88 (hereinafter the "1922 Brooks Plan"), bounded and described as follows:

Northerly by land, now or formerly, of Framingham & Lowell Railroad, 559.41 feet, More or less;

Easterly by land of others, 781.4 feet, more or less;

Southerly by D Street, sometimes referred to as Concord Street, 510.00 feet, more or Less; and

Westerly by Glen Avenue, 915.25 feet, more or less.

Some of the boundaries shown on the 1922 Brooks Plan are subject to the Order of Taking for Route 3, which Order of Taking is recorded with the Middlesex North District Registry of Deeds.

Said properties are also identified on the Board of Assessors Map 53 as Lots 214-1, 214-2, 214-3, 218-1, 218-2, 218-3, 218-4, 218-5, 218-6, 218-7, 218-8, 218-9, 218-10, 218-11, 218-12, 218-13, 227-1, 227-2, 232-1, 232-2, 232-3, 232-4, 232-5, 232-6, 232-7, 232-8, 242-1, 242-2, 242-3, 242-4, 242-5, and 242-6; or act in relation thereto.”

Petition

Article 19. To see if the Town will vote pursuant to Massachusetts General Laws, Chapter 82, Section 21, that public conveyance and necessity require that a portion of the accepted way known as Monmouth Street as hereinafter described shall be discontinued and all public rights in any and all such portions of said streets, and/or town ways relative to said street shall be henceforth discontinued and abandoned; said street is more particularly described as follows: That portion of Monmouth Street on a plan entitled “Proposed Discontinuance Parcel ‘A’, Town Meeting, 2001, on file in the Town Engineer’s Office, and to transfer the care, custody, management, and control of such parcel of land to the Board of Selectmen to be held for the purpose of conveyance, and authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any, held by the Town in the above parcel of land located on the discontinued portion of said way/road, provided that said discontinuance shall not take effect until the Board of Selectmen has conveyed all rights, title and interest in said parcel; or act in relation thereto.

Board of Selectmen

Article 20. To see if the Town will vote to amend the Town of Chelmsford Zoning Bylaw, Section 195-3, the Official Zoning Map, Map 75, Lot 75-304-3, west of Monmouth Street, east of Trenton Street and south of Riverneck Road, said Lot 75-304-3 being more fully described in a deed at Book 10182, Page 59 recorded with the Middlesex County North District Registry of Deeds, by changing the designation of a portion of said Lot from Residential to General Commercial District, and the uses in relationship thereto; or act in relation thereto.

Petition

Article 21. To see if the Town will vote to acquire by gift, purchase, eminent domain, or otherwise utility easements for the Town Center project as shown on a plan entitled “Town Center Utility Easements” dated 3/19/01, on file with the Town Clerk, and to raise

and appropriate, transfer from available funds, or borrow a certain sum to acquire such easements, or act in relation thereto.

Board of Selectmen

Article 22. To see if the Town will vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, or any property in fee simple, all with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sewer and Utility Easement in Chelmsford, Massachusetts, Technology Drive Area Sewers" dated March, 2001, a copy of which is on file in the office of the Town engineer and is incorporated herein by reference, for the purpose of constructing and maintaining sewers, and all other appurtenance utilities thereto; and to see if the Town will vote to raise and appropriate, transfer or appropriate from revenue sharing funds or the stabilization fund and/or borrow a certain sum of money to defray all necessary costs, fees, and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

Sewer Commission

Hereof fail not and make return of this warrant with your doings at the time and place of said meeting.

Given under our hands this 21st day of March, 2001.

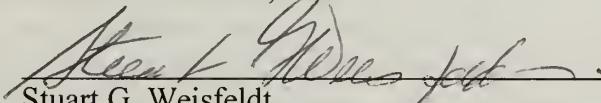
BOARD OF SELECTMEN OF THE TOWN OF CHELMSFORD

Philip M. Eliopoulos, Chairman

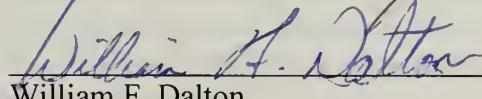


Thomas E. Moran, Vice Chairman

Michael F. McCall, Clerk



Stuart G. Weisfeldt



William F. Dalton



TO: The Registered Voters of the Town of Chelmsford

FROM: The Board of Selectmen of the Town of Chelmsford

DATE: March 9, 2001

RE: Question 1 & 2 on the Annual Town Election Ballot of April 3, 2001

(Polls open 7am to 8pm) Absentee ballots will be available after March 16, 2001.

On the 2001 Annual Town Election ballot, you will be asked to vote on **Question One** which is an amendment to the Town Charter, which was approved by the Annual Town Meeting on April 27, 2000, Article 19, and by the Attorney General on June 1, 2000.

Question Two which was approved by the Special Town Meeting on February 26, 2001, Article 1.

QUESTION 1

Shall the Town vote to approve the charter amendment proposed by the April 27, 2000 (Art 19) Annual Town Meeting summarized below?

Yes .

No

Summary: If approved, a paragraph would be added to Section 3-5 (a) of the Chelmsford Town Charter creating the elected office of associate member of the Planning Board. The associate member would be eligible to sit on the Planning Board to consider special permit applications, in the event of the absence, inability to act or conflict of interest of any regular member or in the event of a vacancy on the Planning Board.

QUESTION 2

Shall the Town accept sections 3 to 7 inclusive, of Chapter 44B of the General Laws, as approved by its legislative body, a summary which appears below?

Yes .

No

Summary: Sections 3 to 7 of Chapter 44B of the General Laws of Massachusetts, also known as the Community Preservation Act ("Act"), establishes a dedicated funding source to acquire, create and preserve open space, historic resources, land for recreational use, and community housing, and to rehabilitate and restore such open space, historic resources, land for recreational use and community housing acquired or created as provided under said Act. In Chelmsford, the Act will be funded by additional surcharge of .5% on the annual tax levy on real property and by matching funds provided by the state. The following exemption from such surcharge, permitted under Section 3 (e) of said Act, will apply: \$100,000 of the value of each taxable parcel of residential real property. A Community Preservation Committee must be created pursuant to by-law and will make recommendations on the use of the funds. Town Meeting must approve any such recommendation before funds can be expended to acquire any particular parcel of land. All Expenditures pursuant to the Act will be subject to an annual audit.

NOTICE OF PROPOSED DATES
AND TIMES FOR CONTINUED SESSIONS OF THE
TOWN MEETING

The Board of Selectmen shall propose the following dates and times for continued sessions of the Town Meeting of April 30, 2001.

Thursday, May 3, 2001 at 7:30 p.m.

Monday, May 7, 2001 at 7:30 p.m.

Thursday, May 10, 2001 at 7:30 p.m.

If additional continued sessions are necessary they shall take place on the Monday and Thursday of the next consecutive week until the meetings are concluded.

Pursuant to Town of Chelmsford Code Chapter 154-9, these dates and times are proposed and are subject to change by vote of the Town Meeting Representatives.

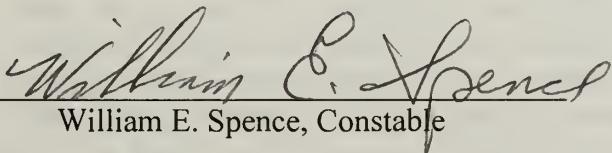
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

March 21, 2001

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Town Office Gymnasium, Harrington School Gymnasium, Harrington School Gymnasium, Westlands School Cafetorium, Byam School Cafetorium, Westlands School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, Town Office Gymnasium and Town Office Building Lobby.

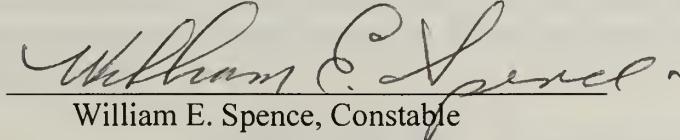
Signed:



William E. Spence

William E. Spence, Constable

A True Copy Attest:



William E. Spence

William E. Spence, Constable

**WARRANT FOR SPECIAL
TOWN MEETING APRIL 30, 2001**

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the Town Meeting Representatives of said Chelmsford to meet in the Senior Center, Groton Road, North Chelmsford on Monday, the thirtieth of April, at 7:45 p.m. in the evening then and there to act upon the following articles, VIZ:

ARTICLE 1. To see if the Town will vote to transfer the care, custody, management and control of the following described parcel of land to the Board of Selectmen to be held for the purpose of conveyance and to authorize the Board of Selectmen to grant to the Chelmsford Housing Authority an interest in fee simple, or any lesser interest including but not limited to an easement, in all or any portion of the land located off Groton Road, currently owned by the Town of Chelmsford and more particularly described on a plan entitled "Proposed Division of Land to Chelmsford Housing Authority, Town Meeting, 2001", on file in the Town Engineer's Office, for the purpose of developing additional units of affordable elderly housing, and to authorize the Town Manager to negotiate and undertake such actions as required to grant such interest on terms and conditions as the Board shall deem necessary and appropriate and in the public interest, for such use by the Chelmsford Housing Authority, or act in relation thereto.

**SUBMITTED BY: Board of Selectmen
Town Manager**

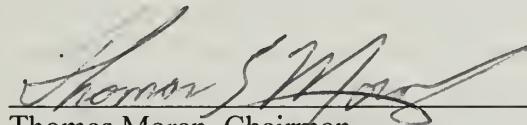
ARTICLE 2. To see if the Town will vote pursuant to Massachusetts General Laws, Chapter 82, Section 21, that public conveyance and necessity require that a portion of the paper street known as Harding Street as hereinafter described shall be discontinued and all public rights in any and all such portions of said streets, and/or town ways relative to said street shall be henceforth discontinued and abandoned; said street is more particularly described as follows: That portion of Harding Street on a plan entitled "Proposed Harding Road Discontinuance, Town Meeting, 2001, on file in the Town Engineer's Office, and to transfer the care, custody, management, and control of such parcel of land to the Board of Selectmen to be held for the purpose of conveyance, and authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any, held by the Town in the above parcel of land located on the discontinued portion of said way/road; or act in relation thereto.

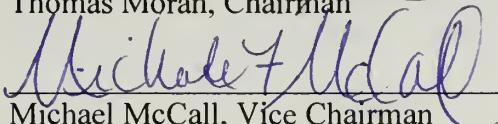
SUBMITTED BY: Board of Selectmen

Hereof fail not and make return of this warrant with your doings at the time and place of said meeting.

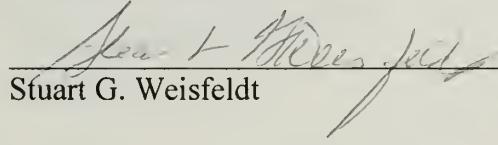
Given under our hands this 9th day of April, 2001.

BOARD OF SELECTMEN OF THE TOWN OF CHELMSFORD


Thomas Moran, Chairman


Michael McCall, Vice Chairman

William Dalton, Clerk


Stuart G. Weisfeldt

Philip Eliopoulos

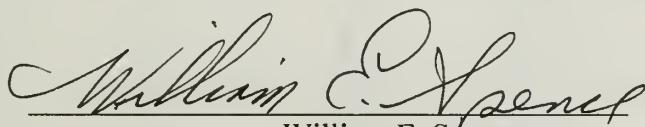
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

April 13, 2001

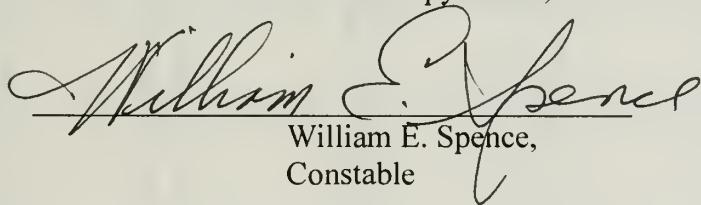
Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Town Office Gymnasium, Harrington School Gymnasium, Harrington School Gymnasium, Westlands School Cafetorium, Byam School Cafetorium, Westlands School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, Town Office Gymnasium and Town Office Building Lobby.

Signed:



William E. Spence,
Constable

A True Copy Attest,



William E. Spence,
Constable



TOWN ELECTION APRIL 3, 2001

*Candidate for Re-election	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
SELECTMAN 3 Year Term (2)										
Blanks	193	79	169	95	212	165	203	195	164	1475
Michael F. McCall*	218	118	205	142	174	199	250	236	166	1708
Thomas E. Moran*	231	111	196	146	159	203	241	241	171	1699
Write-In	4	2	0	1	0	1	2	1	0	11
Misc	0	0	2	0	3	0	0	1	1	7
TOTAL	646	310	572	384	548	568	696	674	502	4900
SCHOOL COMMITTEE 3 Year Term (2)										
Blanks	247	94	221	136	214	198	239	249	181	1779
Evelyn S. Thoren*	194	119	179	128	155	176	203	208	153	1515
Cheryl M. Perkins	204	96	169	118	176	193	251	215	166	1588
Write-In	0	1	2	2	1	1	3	1	1	12
Misc	1	0	1	0	2	0	0	1	1	6
TOTAL	646	310	572	384	548	568	696	674	502	4900
LIBRARY TRUSTEE 3 Year Term (2)										
Blanks	204	84	210	134	210	185	211	209	174	1621
Barbara A. Weisfeldt	221	118	189	125	174	198	257	238	169	1689
Steven P.L. Malone*	220	108	169	125	162	184	227	227	158	1580
Write-In	1	0	1	0	0	0	1	0	1	4
Misc	0	0	3	0	2	1	0	0	0	6
TOTAL	646	310	572	384	548	568	696	674	502	4900
BOARD OF HEALTH 3 Year Term (1)										
Blanks	84	34	95	48	98	73	96	83	77	688
Earnest Wu	235	121	191	143	173	211	252	250	173	1749
Write-In	3	0	0	1	0	0	0	0	0	4
Misc	1	0	0	0	3	0	0	4	1	9
TOTAL	323	155	286	192	274	284	348	337	251	2450
PLANNING BOARD 3 Year Term (2)										
Blanks	213	73	201	118	197	172	216	211	179	1580
Charles Wojtas*	219	109	181	134	176	194	239	230	161	1643
Susan E. Carter*	214	128	190	130	172	201	241	230	158	1664
Write-In	0	0	0	2	0	0	0	1	3	6
Misc	0	0	0	0	3	1	0	2	1	7
TOTAL	646	310	572	384	548	568	696	674	502	4900
PLANNING BOARD Alternate 2 Year Term (1)										
Blanks	105	36	96	57	96	89	99	96	85	759
John S. Goffin	218	119	190	135	176	195	249	238	164	1684
Write-In	0	0	0	0	1	0	0	0	1	2
Misc	0	0	0	0	1	0	0	3	1	5
TOTAL	323	155	286	192	274	284	348	337	251	2450



*Candidate for Re-election		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
SEWER COMMISSION 3 Year Term (2)		190	79	173	117	208	153	214	183	155	1472
Blanks											
John P. Emerson Jr*		240	116	210	130	176	213	252	260	177	1774
Barry B. Balan*		115	115	185	136	160	202	230	230	169	1642
Write-In		1	0	0	1	1	0	0	0	0	3
Misc		0	0	4	0	3	0	0	1	1	9
TOTAL		646	310	572	384	548	568	696	674	502	4900
HOUSING AUTHORITY 5 Year Term (1)											
Blanks		100	34	100	55	102	78	119	90	83	761
Leonard E. Westgate*		223	121	185	136	170	205	229	244	167	1680
Write-In		0	0	1	1	1	0	0	0	0	3
Misc		0	0	0	0	1	1	0	3	1	6
TOTAL		323	155	286	192	274	284	348	337	251	2450
CONSTABLE 3 Year Term (1)											
Blanks		90	32	80	54	100	74	91	80	84	685
William E. Spence*		233	123	206	138	173	209	257	256	166	1761
Write-In		0	0	0	0	0	1	0	0	0	1
Misc		0	0	0	0	1	0	0	1	1	3
TOTAL		323	155	286	192	274	284	348	337	251	2450
CEMETERY COMMISSION 3 Year Term (1)											
Blanks		99	36	93	51	96	68	103	91	87	724
Gerald L. Hardy*		224	119	192	141	176	214	245	243	163	1717
Write-In		0	0	1	0	0	0	0	0	0	1
Misc		0	0	0	0	2	2	0	3	1	8
TOTAL		323	155	286	192	274	284	348	337	251	2450
QUESTION 1 (After Plg Bd Mem)											
Blanks		26	6	12	7	16	13	20	33	11	144
Yes		211	117	206	145	194	220	258	225	193	1769
No		86	32	68	40	64	51	70	79	47	537
TOTAL		323	37820	286	192	274	284	348	337	251	2450
QUESTION 2 (Preservation Act)											
Blanks		20	2	4	5	5	9	14	22	3	84
Yes		174	89	159	100	178	179	205	188	165	1437
No		129	64	123	87	91	96	129	127	83	929
TOTAL		323	155	286	192	274	284	348	337	251	2450

TOWN ELECTION APRIL 3, 2001
***Candidate for Re-election**

TOWN MTG REPRES (3 YEARS) (6) PCT #1	
Blanks	685
William E. Spence*	166
Kathryn Brought*	168
John Gucwa	106
Richard G. Allison*	109
Samuel P. Chase*	153
Donna L. Sargent	147
Sandra B. Martinez*	117
Steven P.L. Maloney*	141
Stephanie J. Level	144
Write-in	1
Misc	1
TOTAL	1938

TOWN MTG REPRES (UNEXP 2 YEARS) (1) PCT #1

Blanks	103
James P. Lynch	218
Write-in	2
TOTAL	0
	323

TOWN ELECTION APRIL 3, 2001

***Candidate for Re-election**

TOWN MTG REPRES (3 YEARS) (6)	
PCT #2	
Blanks	372
Karen E. Connors*	111
Stanley W. Norkunas*	107
Pamela H. Pudsey*	101
Jeffrey W. Stallard*	111
Mary Jo Welch*	120
Write-In	5
Write-in	0
Misc	3
TOTAL	930

TOWN ELECTION APRIL 3, 2001
***Candidate for Re-election**

TOWN MTG REPRES (3 YEARS) (6)	
PCT #4	
Blanks	492
Raymonde R. Legrand*	104
Cathleen H. Latina*	108
Helen A. Manahan*	110
Daniel J. Sullivan, III*	108
Henry Houle	106
John B. Sousa Jr.*	123
Misc	1
TOTAL	1152

TOWN MTG REPRES (3 YEARS) (6)	
PCT #5	
Blanks	795
Carol A. Kelly-Suleski	142
W. Allen Thomas, Jr.*	146
Chris L. Perkins	144
Dennis T. Bak*	130
Leonard R. Richards, Jr.*	139
Dean Carmieris*	142
Write-in	2
Misc	4
TOTAL	1644



TOWN ELECTION APRIL 3, 2001
***Candidate for Re-election**

TOWN MTG REPRES (3 YEARS) (6)	PCT #6
Blanks	804
Pamela H. McKenna*	143
Angelo J. Taranto, Jr.*	163
Janet G. Dubner*	157
Nancy W. Kaelin*	139
Susan Kupor McHugh*	153
George T. Chianis*	140
Write-in	1
Misc	4
TOTAL	1704

TOWN ELECTION APRIL 3, 2001
***Candidate for Re-election**

TOWN MTG REPRES (3 YEARS) (6)	PCT #7
Blanks	720
Joseph D. Ready*	200
John S. Goffin	174
Pamela L. Armstrong*	227
Linda G. Morabito*	192
Paul F. Gleason*	192
Clare L. Jeannotte*	185
Peter Dulchinos*	194
Write-in	3
Misc	1
TOTAL	2088

TOWN MTG REPRES (3 YEARS) (6)	PCT #8
Blanks	659
John E. Abbott*	171
William C. Curry*	182
Christina H. Walsh	116
Christopher R. Kupec	92
Richard E. DeFreitas	144
William J. Woods Jr.	56
Angelo J. Taranto*	207
Joyce E. Johnson*	207
Philip M. Eliopoulos	185
Write-in	2
Misc	1
TOTAL	222

ANNUAL TOWN MEETING

April 30, 2001

The Annual Town Meeting was called to order at 7:35 PM at the Senior Center. The Moderator Dennis E. McHugh recognized the presence of a quorum. There were 150 Town Meeting Representatives present. The Moderator pointed out the fire exits located in the room and then went over the rules and procedures of the meeting, regarding amending motions and discussions.

Selectman Thomas Moran moved that the reading of the Constable's return of the Annual Town Meeting warrant be waived. Motion carried, unanimously. Selectman Thomas Moran moved that the reading of the entire warrant be waived. Motion carried, unanimously. The Moderator asked that the Body vote to allow Bernie DiNatale, Gary Persichetti, and Andrew Sheehan who are non-residents, permission to speak and address the Body from time to time. Motion carried, unanimously.

UNDER ARTICLE 1. Selectman Thomas E. Moran moved that the Town vote to hear reports of the Town Officers and Committees.

The Town Manager said that Representative Carol Cleven was in Boston working on the budget and unable to attend the meeting. At this point Senator Susan Fargo wasn't present. The Manager explained that he did have several issues to report. However, at this time he asked Andrew Sheehan, Community Developer, to give a brief report on the zoning master plan. Andrew Sheehan explained that the plan was first addressed in 1996 and adopted in March of 1997 by the Planning Board. The Committee committed to provide a yearly update. He listed the committee members. The Committee set up goals that would allow the town to set up zoning regulations that would implement zoning and non zoning items. In 1998 the Committee presented a comprehensive zoning plan, which was unanimously voted by the Town Meeting Representatives. Issues regarding wireless communications and senior housing are still being revised. He listed the Committee's pending topics for 2001: In-law apartments, revised wireless communications by-law which have now become out of date, accessory buildings, zoning on Littleton Road, and a Drum Hill area masterplan.

The Moderator announced that it was time to call the Special Town Meeting to order. Selectman Eliopoulos moved to adjourn the Annual Town Meeting in order to take up the Special Town Meeting. Motion carried, unanimously. The meeting adjourned at 7:45 PM.

SPECIAL TOWN MEETING

April 30, 2001

The Special Town Meeting was called to order at 7:45 PM at the Senior Center. The Moderator Dennis E. McHugh recognized the presence of a quorum. There were 150 Town Meeting Representatives present.

Selectman Thomas Moran moved that the reading of the Constable's return of the Special Town Meeting warrant be waived. Motion carried, unanimously. Selectman Thomas Moran

moved that the reading of the entire special warrant be waived. Motion carried, unanimously. The Moderator asked if there was any non residents present who were going to speak that needed permission from the Body? David Hedison, Director of the Housing Authority asked for permission. The Moderator asked for a show of hands, motion carried unanimously.

The Moderator announced that he would suspend the special town meeting at this time in order to allow State Senator Susan Fargo to come forward and address the Body. Senator Fargo reported the various committees that she was on and the process that has been accomplished. She reported the amount of state aid that the Town received since she has been Senator, and cited the proposed amounts for FY 2002. If there were any further needs for discussion on any topic she urged people to contact her at her Boston office, or come to the Adams Library on May 19th. She'll be holding office hours there from 1:30pm to 2:30pm.

The Moderator then read article one.

UNDER ARTICLE 1. Selectman Thomas Moran moved that the Town vote to transfer the care, custody, management and control of the following described parcel of land to the Board of Selectmen to be held for the purpose of conveyance and to authorize the Board of Selectmen to grant to the Chelmsford Housing Authority an interest in fee simple, or any lesser interest including but not limited to an easement, in all or any portion of the land located off Groton Road, currently owned by the Town of Chelmsford and more particularly described on a plan entitled "Proposed Division of Land to Chelmsford Housing Authority, Town Meeting, 2001", on file in the Town Engineer's Office, for the purpose of developing additional units of affordable elderly housing, and to authorize the Town Manager to negotiate and undertake such actions as required to grant such interest on terms and conditions as the Board shall deem necessary and appropriate and in the public interest, for such use by the Chelmsford Housing Authority.

The Town Manager explained that this is one of the two articles that will be coming before the Body regarding the expansion of elderly housing. This was made possible due to the Housing Authority being awarded a 4.8 million dollar grant. This was the largest grant awarded in the State. The project will consist of fifty one assisted living units. This is in joint effort with Elder Services of the Merrimack Valley and the Housing Authority. The location is going to be between the present Delaney Terrace Elderly Housing complex and Harding St, which is just beyond the Senior Center. Dennis Ready questioned if any additional parking for the Senior Center complex will be figured into this plan. The Manager said that the Housing Authority agreed to work with the Town in providing additional parking areas. The Finance Committee recommended the article. The Board of Selectmen recommended the article. George Merrill spoke about the concerns of an abutter to the property. There is a drainage area that use to be a pond. In the past this area was known to flood. What will happen to the water once this project is built? He felt that not enough information had been made public regarding the project, and felt that it should not be approved until more information is provided. The Town Manager began to address the concern when George Merrill made a point of order. He felt that the Town Manager shouldn't be addressing the Body at this time. He is not a representative and shouldn't be allowed to speak. The Moderator stated that if the Town Manager has information or input regarding this article or any other article, he is indeed allowed to address the Body, he asked the Manager

to continue with his response. The Manager explained that this is the first step in a lengthy process. This project must go through the comprehensive permit process. This means that all the major zoning and conservation boards will be holding public hearings. That is the time that any concerns regarding drainage, parking, or any other issues that the public and Town has will be decided. This article is only allowing the Town to turn the land over to the Housing Authority. The Moderator asked if there was any need for further debate? Hearing none, he asked for a show of hands. The vote required is 2/3's. The Moderator declared the **motion carried**, by citing the 2/3's vote by-law.

UNDER ARTICLE 2. Selectman Thomas Moran moved that the Town vote pursuant to Massachusetts General Laws, Chapter 82, Section 21, that public conveyance and necessity require that a portion of the paper street known as Harding Street as hereinafter described shall be discontinued and all public rights in any and all such portions of said streets, and/or town ways relative to said street shall be henceforth discontinued and abandoned; said street is more particularly described as follows: That portion of Harding Street on a plan entitled "Proposed Harding Road Discontinuance, Town Meeting, 2001, on file in the Town Engineer's Office, and to transfer the care, custody, management, and control of such parcel of land to the Board of Selectmen to be held for the purpose of conveyance, and authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any, held by the Town in the above parcel of land located on the discontinued portion of said way/road.

The Town Manager explained this vote is necessary in order to allow the Housing Authority to obtain the rights to an abandon portion of Harding Street. It runs along the property involved with the proposed project. This would allow it to become part of the parcel of land that the Housing Authority will own and maintain. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need for further debate? Hearing none, he asked for a show of hands. The vote required is 2/3's. The Moderator declared the **motion carried**, by citing the 2/3's vote by-law.

Seeing that there was no further business at hand the Moderator asked for a vote to adjourn the special town meeting. Motion carried, unanimously. The meeting was adjourned at 8:10 PM. He then immediately reconvened the annual town meeting at this time. He asked the Town Manager to continue his report under one.

UNDER ARTICLE 1 (con't) The Town Manager said that he had three areas that he wanted to address. Town Finances: Regarding FY02, he felt he had a good solid budget for the year. Budgets are generally conservative. He touched upon the different areas of the municipal departments. He talked about employee benefits. There is a 20% increase in health insurance cost, also a sizable increase in Medicare costs. He is working with the Insurance Advisory Committee hoping to save money by seeking alternative choices in the long run. Minor increases in debt and interest. The Library and Center School projects have now come on board. On the revenue side he is predicting one million dollars in property taxes, due to new developments in town, but he won't know until August. State aid is level funded per year. The local receipts in motor vehicle excise has seen an increase. He is watching the local aid, local property taxes and miscellaneous receipts very carefully. He feels that the Town is on the right

track for revenue predictions and expenditures. Long term picture doesn't look particular positive. He referred to his budget book, where he has predicted a five-year forecast. Based upon trending in revenue and expenditures by using town and school figures. We must make careful decisions, control costs and increase revenues when we can. Depending on what happens with the economy the figures can go up or down. There could be revenue slow downs due to the passage of question 4 last November. The State may cut local aid or using up lottery money which could have a bearing on our long term financial condition. The use of stabilization money will come into play over the next five years. This will assure that the non-exempt debt will not exceed two and a half percent of the operating budget. By doing that it will hold that level constant and free up some of the other revenues to fund operating departments and services. He stressed that he is not trying to look bleak just being prudent and looking ahead and being careful on how to spend local dollars.

He then gave a status review of prior years articles. Central Square project is moving forward. The project will be put out to bid this June, and will start either in the late summer or fall of this year. The construction of new Police Station was awarded to Emerald Construction for a sum of \$4,950,000, it will have modifications. It will have essentially the same amount of square footage except the height has been reduced and the footprint increase. There will be no out buildings. Which means no mechanic bay and no firing range. The price for the 5000 square foot building was \$800,000. He didn't feel that there was any sense to proceed with this in the current contract. It is cost effective to go out at a future date and bid for these separately. Currently gas dispensing for the vehicles is being questioned, he will address that issue when the time comes. The skate-board park will be re-opened in the next few weeks. There will be some staffing so a fee will be enforced. The deregulation of the utilities has not yet been completed due to the fact that there has not been any cost saving benefits, so this is still on hold. Willis Drive was an un-excepted Road that will be reconstructed and paved this year. Visual obstructions by-law was submitted and approved by the Attorney General. Open space fund has been submitted to the legislation and is awaiting approval. Community Preservation Act has been voted and awaiting approval before it can be enforced. There were two issues involving property litigation. The Country Club eminent domain case has finally made its way through the courts. It was decided in February and the jury awarded the plaintiff with \$1.6 million dollars. Right now it is being appealed. He felt it was open space and the Town should have had first option to purchase it. The Penni Lane property owned by the Boy Scouts that had a restriction that it go back to the Town. It was decided this past week. The Court decided in the Town's favor to uphold the restriction. A number of Representatives asked questions of clarification regarding the fees for the skate board park, the Police Station project, electric bill surcharge for the burying of the poles in the Center. John Wilder felt that the Town Manager and the Finance Committee should use a zero base budget. Marion Paresky questioned if removing the ponding area at the present police station project site would be an added expense. No it was included in the cost. Marion Paresky question why there was no mention of union contracts in the Manager's report. There was an informational picket line out front. She hoped that this settlement would come quickly. The Manager said that all the contracts except the clerical union had been settled. He has been working with them for a couple of years to settle. Recently a decision was made by the union to declare an impasse. He had one meeting with a mediator a few weeks ago, and another was schedule for this week. He thought it was going to go through the

mediation process, he is anxious to settle. The Moderator asked the Body to vote to accept the Managers report. **Motion carried, unanimously.**

UNDER ARTICLE 2. Town Manager Bernard Lynch moved that the Town vote to transfer \$7,500 from Conservation fees under Wetlands Special Reserve Fund to reduce the Conservation Commission Budget Fiscal Year 2002.

The Manager explained that this is a yearly article. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need for debate. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 3. Town Manager Bernard Lynch moved that the Town vote to transfer \$1,327,000 from Sewer Betterments, Special Revenue, to reduce the exempt portion of debt and interest in the Fiscal Year 2002 Budget.

The Manager explained that this is a yearly article. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need for debate. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 4. Town Manager Bernard Lynch moved that the Town vote to transfer from Sewer Rate Relief Funds, Special Revenue, \$193,150 to reduce the exempt portion of debt and interest in the Fiscal Year 2002 Budget and \$163,000 to acquire the following sewer equipment otherwise funded by sewer user fees:

3/4 Ton Pick-up Truck	\$ 33,000
Southwell Pump Station Rebuild	\$ 25,000
Flowmeter	\$ 30,000
Knifegate	\$ 75,000

. The Manager explained that this is funding which enables the Town to purchase equipment and maintain items exclusively for the ongoing sewer project. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need for debate. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 5. Town Manager Bernard Lynch moved that the Town vote to transfer from the Stabilization \$490,000 to be used to balance the Annual Operating Budget for the fiscal year beginning July 1, 2001.

The Manager explained that this is the first year of using stabilization money to fund an article. He hopes to put half a million back into the fund in the fall. It is his goal to hold the fund to be eight to ten percent of the operating budget. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was

any need for debate. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 6. Town Manager Bernard Lynch moved that the Town vote to transfer \$312,013 from FY 1998 overlay surplus and \$245,987 from FY2001 Supplemental Lottery Funds to be used to fund certain one-time costs associated with the retirement of employees of the Town working in the School Department.

The Manager explained that this is a collective bargaining agreement item. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need for debate. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 7. Town Manager Bernard Lynch moved that the Town vote to raise and appropriate \$150,000 to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws Chapter 40, Section 6.

The Manager explained that this is a yearly housekeeping article. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need for debate. Hearing none, he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 8. The Moderator explained that he was going to read only the total of line item that appear in the shaded area of the warrant book.. He would read the name of the section and the total figure. Once he read the figure he would ask for questions and move along. He read the Municipal Administration section through Nashoba Technical High School. Marion Paresky question the School Department budget. Why were non teachers positions being added to the budget without being reported. Dr Richard Moser, Superintendent of Schools explained that these positions had been reported at previous budget meetings. They are not new positions. They are the result of restructuring and the shifting administration duties. For accounting purposes the positions appear under the teaching account. She felt that the positions should be listed under administrators not teachers. Roger Sumner asked questions concerning the cost of implementing the SPEDS program. Lorraine Lambert questioned the costs involved for substitute teachers. Robert Cruickshank explained that the School Department contracts out to a firm called OPUS. He said OPUS charges a fee of \$160.00 per day. OPUS then pays the substitutes \$77.00 a day. Brian Latina questioned the costs involved for Special Education. The Moderator read the total figures under the Public Work Budget. Barbara Scavezze questioned what if anything was being done to increase the recycling rate and preparing for 2005. The Manager explained that the Solid Waste co-ordinator along with the Ass't Town Manager were working towards communication of public awareness and more recycling programs such as a swap shop. George Merrill questioned the mileage under the Sewer Department. It was the expense of the Town cars being used by the individuals on the job. John Wilder questioned the need, if any, for more time for a recycling person. The Manager said that there was no need to increase the hours. The Moderator read the Sewer Commission Expenses, Cemetery and Community Services. Line item totals, asking for any questions under each. At the Library section he read the figures and asked for questions. Johns Wilder questioned the personnel

expense. He asked if there was a increase in the personnel. He said that the Manager had stated in other years that there would be no need to increase the personnel when the new library came on board. The Manager said that there was a slight increase because as he reported at the Fall Annual Town Meeting, usage in circulation had gone up. There was a need for additional personnel, not because of the building size, but because of the increase in use of the building. The Moderator read the amounts appearing under Undistributed and Debt. He asked for any questions. Hearing none he asked for the Finance Committee's recommendation. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator then asked if there was any need for debate.

George Merrill moved to amend the Sewer Division expense item from \$848,568 to \$798,560. This would reduce the line by \$50,000.

He explained that this \$50,000 was to fund a study for a DPW garage on Richardson Road.. Before any more money is put into this location, he wanted other sites to be investigated. Currently the present garage is located in the acquifer protection area. It is less than 1000 feet from the N. Chelmsford Water district well area. It is grandfathered at this location. It has a lot of violations regarding run offs which he feels that it could contaminate the wells in the future. He wanted the Board of Selectmen to appoint a committee. The Town Manager said that other sites would be reviewed. Currently there are two offices at the Town Office Building, the DPW garage on Richardson Road and the Parks Division located at the West Fire Station. It would be more cost efficient to consolidate all the different divisions under one roof. That need will also be part of the study. He asked that the motion be defeated. Henry McEnany, who was a former water commissioner, spoke in favor of the motion. Peter Lawlor, who had served on the Board of Selectmen when the sand lease was negotiated, said that the Town's source of sand abuts the current DPW site. Due to this fact alone, it was the most logical site to keep. Brian Latina asked if the DPW site was currently zoned IA? The Manager said no, it's zoned Public. The Moderator asked for a vote by way of a show of hands on the motion to amend. This left the Chair in doubt, he asked that the tellers conduct a hand count. The following tellers came forward: Dorothy Frawley, Patricia Plank, Lucy Simonian, John Maleski. The result was: Yes 56, No 85, the **motion to amend was defeated**. The Moderator then asked for a vote by way of a show of hands for article 8, with a total budget figure of \$74,401,227. **Motion carried, unanimously**. The article reads as follows:

Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of \$74,401,227 to defray Town charges for the fiscal period July 1, 2001 to June 30, 2002 according to the following line items:

Municipal Administration

Personnel Services	\$1,369,812
Expenses	\$682,432

Chelmsford School Department	\$40,260,000
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Nashoba Technical High School	\$792,160
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Public Safety

Personnel Services	\$7,982,350
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Expenses	\$747,009
Public Works	
Personnel Services	\$1,782,529
Expenses	\$3,647,608
Snow and Ice	\$460,000
Offset Receipts	(\$1,300,000)
TOTAL	\$4,590,137
Sewer Commission Expenses	\$30,000
Cemetery	
Personnel Services	\$218,532
Expenses	\$37,775
Community Services	
Personnel Services	\$539,853
Expenses	\$182,250
Library	
Personnel Services	\$1,006,917
Expenses	\$406,300
Undistributed	\$7,700,000
Debt	
Principal	\$5,574,244
Interest	\$2,281,456

UNDER ARTICLE 9. John Sousa, Superintendent of the Cemetery Department moved that the Town vote to transfer \$14,000 from the sale of the Graves and Lots to the Cemetery Improvement and Development Fund.

The Manager explained that this is a yearly article. The Finance Committee approved the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need for debate. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 10. Town Manager Bernard Lynch moved that the Town vote to raise and appropriate \$21,000 to engage a private accounting firm to prepare an audit of all accounts in all departments in the Town of Chelmsford.

The Manager explained that this article is required in order to fund the yearly audit of the Town's books. The Finance Committee recommended the article. The Board of Selectmen

recommended the article. The Moderator asked if there was any need for debate. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously**.

UNDER ARTICLE 11. Town Manager Bernard Lynch moved that the Town vote to raise and appropriate \$25,000 for the purpose of funding the sand purchase approved by the Town under Article 4 of the 1998 Special Town Meeting held on April 27, 1998.

The Manager explained that this is the land behind the Highway garage on Richardson Road. The Town bought the land for \$250,000. and will pay \$25,000. for ten years. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need for debate. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously**.

UNDER ARTICLE 12. The Manager said that this article was withdrawn. The article read as follows. Town Manager Bernard Lynch moved that the Town vote to raise and appropriate a certain amount with which to meet bills from previous years.

UNDER ARTICLE 13. The Superintendent Dr Richard Moser, and School Committee Members, Judith Mallette, Sheila Pichette, James Trager, Cheryl Perkins and Evelyn Thoren all came forward and addressed the Body. Dr Moser listed the seven commitments that the School Committee intended to carry out. 1. Meet student needs. 2. Focus on affordability. 3. Reduce the scope of the proposed DRA project. 4. Explore alternative to DEA proposal for review, community and staff. 5. Conduct a comprehensive and full preliminary design. 6. Promote an efficient process. 7. Conduct quality communications. He then turned the discussion over to the School Committee. Evelyn Thoren expressed the need for architectural changes. Sheila Pichette outlined the needs for the future. James Trager stated the most cost-effective reasons. Cheryl Perkins went over the proven needs. Judith Mallette explained why the preliminary plans are needed. The School Committee returned to their seats and addressed questions from the Body. Tony Volpe asked that the Body acknowledge the co-operation of the School Committee, the School Building Committee for all their work and dedication which resulted in this article. He asked for a round of applause, and the Body responded with one. Tony Volpe asked if the project manager was included in the amount of the article? Yes it was. Will there be a clerk of the works? Yes with a 2% reimbursement. Richard Johnson asked if a member of the Disability Commission was going to be included when the building committee was formed? The Manager said that the role would be one of liaison. Jan Spence asked if the project would be reimbursed 100%? Dr Moser said no, the amount was estimated to be 60%. George Zaharoolis asked besides the one member of the School Committee and Finance Committee who would the other seven members be? The Manager said one member of the Board of Selectmen and the other six members would consist of people with backgrounds in construction, financial, and project management. He felt that different people bring different qualities to the table. Dr Moser said that he was pleased that he and the Town Manager would be working together on the formation of the committee. He noted that the Manager is the final appointing authority, however, it is very critical that there are people on the committee with a background in education. The Manager said that he is anxious to receive the input from the Superintendent on some of the people who would serve that role. George Zaharoolis asked when would the Town go out for bid, before the committee is formed or after. The Manager said that he would like the committee up and

running as soon as possible. He felt that the committee should play a role in selecting the architect. It would be great to have an input from the committee regarding the process. When did the Superintendent feel that the architect could come back with a plan? The Superintendent felt that in six months this could be accomplished. Judith Mallette explained that the Building Needs Committee had gathered and worked out a lot of the preliminary information which will be turned over to the Building Committee. Barry Balan wanted to know what the vote of the Building Needs Committee was regarding this article. Judith Mallette explained that the entire committee hadn't seen the wording of this motion, but had supported one similar. The School Committee itself unanimously voted to support the article. The Finance Committee unanimously supported the article. The Board of Selectmen unanimously supported the article. More discussion took place. Joyce Johnson suggested that a web site be created like the one in Northboro, which would enable the citizens to obtain information and follow the progress. Steven Flynn expressed the concerns of retired veterans and senior citizens. Many of these people are on fixed incomes and are extremely worried about the pending tax increase that will result if this article passes. More discussion followed. Dennis Ready moved to stop debate. The Finance Committee was in favor of the motion. The Board of Selectmen was in favor. Dennis Ready moved the question to stop debate. The Moderator asked for a vote by way of a show of hands. Motion carried, unanimously. The Moderator asked for a vote by way of a show of hands on the article. The article needed a 2/3's vote. The Moderator declared that the **motion carried**, by recognizing the two thirds vote by-law. The article reads as follows.

Judith Mallette, Chairman of the School Committee, moved that the Town vote to appropriate the sum of \$750,000 to engage an architectural firm to prepare preliminary designs and cost estimates for improvements to the Chelmsford secondary schools, that to meet this appropriation, the treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to \$750,000 pursuant to G.L.C. 44, sections 7 or 8, or any other enabling authority. There shall be a Building Committee appointed in accordance with Section 4-2 of the Chelmsford Home Rule Charter, which shall consist of nine members of which one member shall be a member of the Chelmsford School Committee in accordance with the provisions of MGL Chapter 71, section 68 and one member shall be a member of the Finance Committee. The Building Committee shall select and direct an architectural firm and a project management firm to conduct the work as set forth in this appropriation. The Building Committee shall be authorized to execute a contract with the selected architectural firm and project manager with the approval of the Town Manager. The selected architect shall evaluate the Facilities Study report of Drumme, Rosane and Anderson and the program priorities of the Building Needs Committee; and provide options and alternatives to accomplish these findings. Such options and alternatives shall include, but not be limited to a reduction of proposed school expansions, relocation of Central Administration, the potential for new construction instead of renovation,

targeted renovation components instead of full scale rehabilitation, and phasing of the project over a period of three to five years. The Building Committee shall make a recommendation to Town Meeting on a project to be implemented by the Town subject to the approval of the School Committee.

Selectman Philip Eliopoulos moved to adjourn the Annual Town Meeting until Thursday May 3rd at 7:30 PM at the Senior Citizen Center. The Moderator asked for a show of hands on the motion to adjourn. **Motion carried, unanimously.** The meeting adjourned at 11:15 PM.

Dennis E McHugh, Moderator

Mary E. St.Hilaire, Town Clerk

ADJOURNED ANNUAL TOWN MEETING

May 3, 2001

The Annual Town Meeting was called to order at 7:35 PM at the Senior Center. The Moderator Dennis E. McHugh recognized the presence of a quorum. There were 137 Town Meeting Representatives present.

UNDER ARTICLE 14. The Town Manager explained that this is the capital budget for the coming fiscal year. The amount has increased for borrowing from 1.5 million to 2.5 million this is part of the five-year plan due to the opportunity to invest more into the town's facilities. The Manager explained that due to the passage of article 13, this article that appears in the finance book is slightly different. The motion has been adjusted to reflect the changes. David McLachlan questioned the status of the Dutton House aka the Pink House. What are the town's plan concerning the internal condition and if it could be rehabilitated, what would the cost be over the \$50,000? The Manager gave a brief history of the house. When the library was built a couple of years ago, the thought was to move the house from that site and build a storage building. It went out to bid, and did not receive any proposals. Then an interest for keeping the Dutton house on site arose. The cost for making the storage facility was around \$200,000 to \$300,000. Based on the lack of interest to buy and the expense to build anything of similar size, it was felt that it would be better to repair the building for storage. Fix the roof and do some exterior work The building would be used for storage only. To use it for more than that would cost \$150,000-\$200,000 or more. It would have to be made handicap accessible, It would have to brought up to certain standards regarding energy, plumbing.. Brian Latina questioned the Police Station items. The cost of the new site did not include the communication center, and computers. It was better to pay the interest on these items for five years rather than twenty years. The items will go into the new facility not the old one. George Zaharoolis questioned the Library Book security system at the High School. Dennis Ready questioned the Finance Committee. Are the items which appear on the capital budget list the only ones that can be purchased? Example, if approved, could the Manager purchase a six wheel dump truck instead of a ten wheel truck? No, he had to purchase the exact items listed. The funds could only be for what is specified. Mark Connors wanted to know how many of the items are replacement items vs new items? The Manager listed all the items that are being replaced, which was most of the items The Finance Committee recommended the article. The Board of Selectmen recommended the article. Elizabeth McCarthy Chairman of the Library Trustees, moved to amend the article by eliminating the \$50,000 for Dutton House improvements. The house was purchased for future land use. Not intended to use the building. There are wetlands on the property so it would be a limited area to build on, perhaps additional parking could be created. The Trustees want to put the house out for bid again. If no one purchases it then have it demolish. Thomas Moran speaking as a citizen and not as a member of the Board of Selectmen, spoke against demolishing the building. Bernard Ready spoke against the building being destroyed. He cited the Mill house in the Center that had come before the Body a few years ago. It was to be destroyed and parking for the Center was to be created. The article was defeated and the Mill house was purchased and rehabbed, and now it is an asset to the Center. William Spence spoke in favor of letting a private contractor purchase the building and property and fix it up. The Town Manager spoke against selling the property. It may be needed for the future. It is not a good idea to sell Town land when it is in the Center of Town. Library Trustee Richard DeFreitas asked when was the last time that a Board came to the Town Meeting and ask that the Town not spend any money. He asked for supporting the motion to eliminate the \$50,000.

Steven Mallette and Steven Maloney Board of Library Trustees members asked for support of the motion. More discussion took place. Barry Balan moved to amend the amendment by reducing the amount to \$20,000 and use the money for demolition of the pink house, if it cannot be sold in a period of six months. The Moderator ruled the motion to be outside the scope of the article. Barry Balan withdrew his motion. More discussion took place. John Fudge moved the question to stop debate.. The Moderator asked for a show of hands on the motion to stop debate, **motion carried**. The Moderator asked for a vote on the motion to eliminate the amount of \$50,000. **motion defeated**. The Moderator then asked for a vote by way of a show of hands on the article. This requires a 2/3's vote, the Moderator declared that the **motion carried** by citing the 2/3's vote by-law.

The Moderator began to read Article 15, when Steven Mallette made a point of order. He moved to reconsider Article 14. He felt that the vote was confusing and requested an actual hand count taken. The Moderator asked for a show of hands, motion carried. Steven Mallette moved to amend Article 14 by eliminating the Pink House line item of \$50,000 from the budget. The Moderator asked for the tellers to conduct a hand count. Dorothy Frawley, Patricia Plank, Lucy Simonian, John Maleski. came forward. The Moderator asked for a show of hands. The result was: Yes 60 No 73 **motion to amend defeated**. The Moderator asked for a show of hands on the main motion. He declared that the **motion carried** by citing the 2/3's rule. The article reads as follows:

Town Manager Bernard Lynch moved that the Town vote to appropriate the sum of \$2,442,500 for the following capital projects:



Function	Department /Location	Project	Expenditure
Municipal Administration	<u>Town Clerk's Office</u>	Voting Machines	\$64,000
		<i>Municipal Administration Subtotal</i>	<i>\$64,000</i>
Public Safety	<u>Police</u>	Cruiser Replacement	\$141,500
		Furnishings & Equipment	\$170,000
	<u>Communications & Dispatch Center</u>		\$250,000
	<u>Computer Equipment Replacement</u>		\$165,000
	<u>Fire</u>	Staff Vehicle	\$28,000
		Pick-up/Brush Truck Combination	\$45,000
		<i>Public Safety Subtotal</i>	<i>\$799,500</i>
Public Works	<u>DPW</u>	Drainage Improvements	\$60,000
		Six-Wheel Dump Truck	\$80,000
		Road Maintenance	\$175,000
	<u>East Ballfield Construction</u>		\$80,000
	<u>Ten-Wheel Dump Truck</u>		\$93,000
		<i>Public Works Subtotal</i>	<i>\$488,000</i>
Community Services	<u>Library</u>	Dutton (pink) House Improvements	\$50,000
		<i>Community Services Subtotal</i>	<i>\$50,000</i>
Public Education	<u>Chelmsford High</u>	Library Book Security System	\$25,000
	<u>Byam Elementary</u>		
	<u>Harrington Elementary</u>	Electrical Upgrades to All Four	
	<u>South Row Elementary</u>	Elementary Schools	\$700,000
	<u>Westlands Elementary</u>		
	<u>Parker Middle</u>		
	<u>Byam Elementary</u>		
	<u>Harrington Elementary</u>	Fire Alarm Upgrades to All Four	
	<u>South Row Elementary</u>	Elementary Schools & Parker	\$300,000
	<u>Westlands Elementary</u>		
	<u>Technology</u>	Administrative Technology	\$16,000
		Classroom Computers	\$0
	<u>Maintenance</u>	Mower Replacement	\$0
		Jacobsen Sweeper	\$0
		Pick-up Truck	\$0
		<i>School Department Subtotal</i>	<i>\$1,041,000</i>
CAPITAL PROJECTS TOTAL			\$2,442,500

and to transfer the sum of \$11,500 from unexpended bond proceeds under Article 6 of the 1996 Annual Town Meeting, transfer the sum of \$53,253 from unexpended bond proceeds under Article 6 of the 1997 Annual Town Meeting, transfer the sum of \$18,307 from unexpended bond proceeds under Article 7 of the 1998 Annual Town Meeting, transfer the sum of \$71,361 from unexpended bond proceeds under Article 9 of the 1999 Annual Town Meeting, transfer the sum of \$35,425 from remaining free cash from the close of fiscal year 2000, transfer the sum of \$65,699 from the Center School unexpended bond proceeds under Article 1 of the April 26, 1999 Special Town Meeting, transfer the sum of \$135,988 from unused fiscal year 1996 Assessors Overlay, transfer the sum of \$300,550 from unused fiscal year 1997 Assessors Overlay, transfer the sum of \$417 from unused fiscal year 1998 Assessors Overlay, and to authorize the Treasurer, with the approval of the Board of Selectmen to borrow \$1,750,000 Under Massachusetts General Laws Chapter 44, Sections 7 & 8 or any other enabling authority.

UNDER ARTICLE 15. Selectman Thomas E. Moran moved that the Town vote to accept the following mentioned streets, as laid out by the Board of Selectmen and shown by their reports duly filed in the office of the Town Clerk:

Research Place
Hemlock Drive

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; and I move that the Town authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, with trees thereon, by purchase, eminent domain, or otherwise, for the purpose of securing traffic safety and road improvements, and I move that the Town raise and appropriate \$2 to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; and I move that the Town authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto.

The Manager explained that these are streets that have been reviewed and approved by the Town Engineer and are ready for the final step of approval. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need for debate. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 16. Town Manager Bernard Lynch moved that the Town vote to authorize a revolving fund under Massachusetts General Laws C. 44, S. 53E ½ for the Council on Aging for Fiscal Year 2002. The receipts to be credited to the fund shall be from the collection of fees from the implementation of a Senior Trip program. The Council on Aging shall be authorized to spend money from the fund for the purpose of providing transportation necessary for implementing a Senior Trip program. Expenditures from the Senior Trip program revolving fund shall be limited to \$300,000 during Fiscal Year 2002.

The Manager explained that this is a yearly article. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need for debate. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 17. Dwight moved that the reading of the article be waived. The Moderator asked for a show of hands, **motion carried unanimously.** Andrew Sheehan Community Development Co-ordinator explained the article. The State of Massachusetts law has changed regarding Body Art Establishments. It is now legal for these establishments to conduct business in the State. In order to have some control on the locations the Town's zoning laws are being amended to allow the use only in certain areas. The Board of Health is in charge of the regulations, the Planning Board is in charge of the zoning. Mark Connors questioned what the zoning is in Vinal Square. Andrew Sheehan said he wasn't quite sure there are two zones in Vinal Sq. Mark Connors asked what the zoning was for Central Square? The answer was CV. The Moderator asked for the various boards recommendations. The Finance Committee had no recommendation. The Board of Selectmen recommended the article. Charles Wojtas, Chairman of the Planning Board read the Board's recommendation. The Chelmsford Planning Board held a public hearing on March 14, 2001 regarding the warrant article related to body art. The hearing was advertised in the Chelmsford Independent of February 22, 2001 and March 1, 2001, and a copy of the legal notice was sent to all abutting municipalities and agencies, as required by Massachusetts General Laws, Chapter 40A, Section 5. The public hearing was closed on March 28, 2001. At the Planning Board meeting of April 11, 2001, the Planning Board voted unanimously to recommend the article as revised. The revision would allow body art establishment in the CB,CC and CD Zoning Districts, and make it a prohibited us in the CA Neighborhood Commercial District. The Board found that body art is not an appropriate use in the CA district, due to the proximity of businesses to residential uses, and concerns over proper disposal of medical waste. A discussion took place. Mark Connors felt that it wasn't right that the Vinal Square was going to have to allow these business and the Center area of Chelmsford wasn't. There are residential homes that abut Vinal Square and families with children and he didn't feel it was appropriate. Richard Day, Director of the Board of Health said that the Board of Health has set up rules and was in total support of the article, and asked that the Body support the article as well. The Moderator asked if there was any need to hear further debate? Hearing none, he asked for vote of the article by way of a show of hands. A 2/3's vote is required. The Moderator declared that the **motion carried** by citing the 2/3's rule. The article reads as follows:

Pamela Armstrong moved that the Town vote to amend the Chelmsford Code, Chapter 195, Zoning, Section 195-5, Use Regulation Schedule, Section C, Commercial Uses, by inserting a new use category number 28 entitled Body Art Establishment:

Principal Use	RA	RB	RC	RM	CA	CB	CC	CD	CV	IA	IS	RMH	CX	P	OS
28. Body Art Establishment	N	N	N	N	N	Y	Y	Y	Y	N	N	N	N	N	N

;and by amending Article XX, Terminology, Section 195-108 Word Usage and Definitions, by inserting definitions of Body Art and Body Art Establishment:



BODY ART - The practice of physical body adornment by permitted establishments and practitioners using, but not limited to, the following techniques: body piercing, tattooing, cosmetic tattooing, branding, and scarification. This definition does not include practices that are considered medical procedures by the Board of Registration in Medicine, such as implants under the skin, which are prohibited.

BODY ART ESTABLISHMENT- any establishment which provides body art services as a part of its business.

UNDER ARTICLE 18. The Moderator explained that he had a new motion regarding this article. Dwight Hayward moved to waive the reading of the motion. Motion carried. Attorney Joseph Shanahan explained that he represented the eighteen property owners off of Glen Avenue. This is a residential neighborhood. The Town rezoned the area as industrial when it did its first master plan many years ago. The property owners want to rezone their neighborhood back to residential. The RC zone means that the lot size is 20,000 square foot lots. Most of the lots are 10,000 square foot lots. These residential homes are valued less because the zone is Industrial. Attorney Shanahan further explained that when the homeowners go for refinancing or additions they are penalized by being a residential home in an industrial zone. They always have to go through the Board of Appeals, because the properties are non-conforming. The Planning Board felt that there would be more protection for the homeowners with a lot size requirement of 40,000 square feet. That is why the article now reads RB. The Finance Committee recommended the article. The Board of Selectmen recommended the article. Charles Wojtas, Chairman of the Planning Board read the Board's recommendation. The Chelmsford Planning Board held a public hearing on March 14, 2001 regarding the warrant article related to rezoning land east of Glen Avenue.. The hearing was advertised in the Chelmsford Independent of February 22, 2001 and March 1, 2001, and a copy of the legal notice was sent to all abutting municipalities and agencies, as required by Massachusetts General Laws, Chapter 40A, Section 5. The public hearing was closed on March 14, 2001. At the Planning Board meeting of March 14, 2001, the Planning Board voted unanimously to recommend the article with the condition that the article be revised to change the zoning designation from IA Limited Industrial to RB Single Residence, rather than RC General (Two -Family) residence. Joyce Johnson spoke in favor of the article. The Moderator asked if there was any need to hear any further debate, hearing none he asked for a vote by way of a show of hands. **Motion carried, unanimously.** The article reads as follows:

Selectman Thomas Moran moved that the Town vote to amend the Town of Chelmsford Zoning By-Law and Official Zoning Map by removing the following properties situated on the easterly side of Glen Avenue, from Limited Industrial District (IA) and placing all of said properties in a Residence B District (RB):

The land in said Chelmsford, with the buildings and improvements thereon, situated on the easterly side of Glen Avenue, shown on a plan of land entitled "Building Lots in Chelmsford, Mass. belonging to William S. Nichols. Scale 50 feet to an inch Plotted Jan. 1922 by Henry O. Brooks, Civil Engineer, from outline survey made by Osgood and Snell in 1895," which plan is recorded with the Middlesex North District Registry of Deeds at Plan Book 44, Plan 88 (hereinafter the "1922 Brooks Plan"), bounded and described as follows:

Northerly by land, now or formerly, of Framingham & Lowell Railroad, 559.41 feet,
More or less;

Easterly by land of others, 781.4 feet, more or less;

Southerly by D Street, sometimes referred to as Concord Street, 510.00 feet, more or
Less; and

Westerly by Glen Avenue, 915.25 feet, more or less.

Some of the boundaries shown on the 1922 Brooks Plan are subject to the Order of Taking for Route 3, which Order of Taking is recorded with the Middlesex North District Registry of Deeds.

Said properties are also identified on the Board of Assessors Map 53 as Lots 214-1, 214-2, 214-3, 218-1, 218-2, 218-3, 218-4, 218-5, 218-6, 218-7, 218-8, 218-9, 218-10, 218-11, 218-12, 218-13, 227-1, 227-2, 232-1, 232-2, 232-3, 232-4, 232-5, 232-6, 232-7, 232-8, 242-1, 242-2, 242-3, 242-4, 242-5, and 242-6."

UNDER ARTICLE 19. The Town Manager requested that this article be tabled until the conclusion of article 20. This article will be addressed only if article 20 passes. **Motion carried, unanimously** to table the article until the conclusion of article 20.

UNDER ARTICLE 20. Selectman Michael McCall moved that the Town vote to amend the Town of Chelmsford Zoning Bylaw, Section 195-3, the Official Zoning Map, Map 75, Lot 75-304-3, west of Monmouth Street, east of Trenton Street and south of Riverneck Road, said Lot 75-304-3 being more fully described in a deed at Book 10182, Page 59 recorded with the Middlesex County North District Registry of Deeds, by changing the designation of a portion of said Lot from Residential to Industrial District, and the uses in relationship thereto.

Attorney Douglas Hausler explained that most of this land is already zoned IA. The zoning line runs through the area described, he asked for support of the article. The Finance Committee supported the article. The Board of Selectmen recommended the article. Charles Wojtas, Chairman of the Planning Board read the Board's recommendation. The Chelmsford Planning Board held a public hearing on April 25, 2001 regarding the warrant article related to rezoning land off Monmouth Street.. The hearing was advertised in the Chelmsford Independent on April 5, 2001 and April 12, 2001, and a copy of the legal notice was sent to all abutting municipalities and agencies, as required by Massachusetts General Laws, Chapter 40A, Section 5. The public hearing was closed on April 25, 2001. At the Planning Board meeting of April 25, 2001, the Planning Board voted unanimously to recommend the article as revised, to change the zoning designation from RB Single Residence to IA Limited Industrial, rather than General Commercial.. The Moderator asked if there was any need to hear any further debate, hearing none he asked for a vote by way of a show of hands. **Motion carried, unanimously.**

UNDER ARTICLE 19. Selectman Thomas E. Moran moved that the Town vote pursuant to Massachusetts General Laws, Chapter 82, Section 21, that public conveyance and necessity require that a portion of the accepted way known as Monmouth Street as hereinafter described shall be discontinued and all public rights in any and all such portions of said streets, and/or town



ways relative to said street shall be henceforth discontinued and abandoned; said street is more particularly described as follows: That portion of Monmouth Street on a plan entitled "Proposed Discontinuance Parcel 'A', Town Meeting, 2001, on file in the Town Engineer's Office, and to transfer the care, custody, management, and control of such parcel of land to the Board of Selectmen to be held for the purpose of conveyance, and authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any, held by the Town in the above parcel of land located on the discontinued portion of said way/road, provided that said discontinuance shall not take effect until the Board of Selectmen has conveyed all rights, title and interest in said parcel.

The Manager explained that this is the same article that had come before the Body at the February Special Town Meeting. The article had been defeated, however during the discussion about reconsideration of the vote, it was noted that a number of the abutters and representatives had left the meeting. The Body had requested that the article be brought back for consideration, at the Spring meeting and that is why it is appears again. This must go out through the bid process, and will be sold to the highest bidder. It will not be discontinued until the sale has taken place. Attorney Douglas Hausler who represented Farley White Associates, explained the purpose of the article. His client wanted to expand his building whose frontage was on Billerica Road. At the Special Town Meeting there were abutters to the property who had concerns about the proposed project. He has met with the people and addressed their concerns and reached an agreement. There would be no entrance to the site from Monmouth Street. The article is only the beginning of the process. The developer would still have to go through the Planning Board hearing process. If the Town or any residents have any questions or concerns that is the forum in which to address them, not at this meeting. This article is only allowing the Town to discontinue Monmouth Street. He asked for support of the article. Roger Sumner question the infrastructure. The Finance Committee recommended the article. The Board of Selectmen recommended the article. Kathy Campbell spoke in favor of the article. She explained that she had come before the Body in February expressing concerns.. She said that Attorney Hausler had sent letters to everyone on the street and explained the proposed project fully to them. Susan Carter, member of the Planning Board addressed Roger Sumner's concerns. She explained that this is only the starting point for the project. The developer must present a site plan to the Board and any traffic impact will be addressed by the Board. Elizabeth Marshall had concerns about the water supply. She felt that there was to much building going on and not enough open space being left. Peggy Dunn had questions concerning the site regarding parking, how close was it to the Town's Cemetery land. Attorney Hausler felt that these concerns were going beyond the scope of the article. The concerns of this speaker and the previous one should be addressed at the Planning Board hearing. John Sousa, Superintendent of the Cemetery Department explained that a previous project by this developer had abut the cemetery land, and the developer worked with the Commissioners regarding screening and fencing. John Emerson moved the question. The Moderator asked for a vote by way of a show of hands, **motion carried, unanimously**. The Moderator asked for a vote on the article by way of a show of hand, **motion carried, unanimously**.

UNDER ARTICLE 21. Selectman Thomas E. Moran moved that the Town vote to acquire by gift, purchase, eminent domain, or otherwise utility easements for the Town Center project as shown on a plan entitled "Town Center Utility Easements" dated 3/19/01, on file with the Town Clerk, and to raise and appropriate \$10,000 to acquire such easements.



The Manager explained that this is part of the approved project of burying the utility poles that had come before this Body in the past. In order to bury the cables, transformers are needed above ground. The easements are needed for the placement of the transformers. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need for debate. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously**

ARTICLE 22. John P. Emerson, Chairman of the Sewer Commission move that the Town authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, or any property in fee simple, all with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sewer and Utility Easement in Chelmsford, Massachusetts, Technology Drive Area Sewers" dated March, 2001, a copy of which is on file in the office of the Town engineer and is incorporated herein by reference, for the purpose of constructing and maintaining sewers, and all other appurtenance utilities thereto.

John Emerson, Chairman of the Sewer Commission explained that this is needed in order to construct a meter extension for the City of Lowell. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator made a point of order prior to asking for the vote on the article. He reminded the Representatives that the dates for the Annual Fall Town Meeting would be October 15th and 18th. The Moderator then asked if there was any need for debate. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously**

Seeing that there was no need of further business, the Moderator moved to adjourn the Annual Town Meeting, and asked for a show of hands on the motion to adjourn. **Motion carried, unanimously.** The meeting adjourned at 9:45 PM.

Dennis E McHugh, Moderator

Mary E. St.Hilaire, Town Clerk

**WARRANT FOR ANNUAL
TOWN MEETING OCTOBER 15, 2001**

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the Town Meeting Representatives of said Chelmsford to meet in the Senior Center, Groton Road, North Chelmsford on Monday, the fifteenth of October, at 7:30 p.m. in the evening then and there to act upon the following articles, VIZ:

ARTICLE 1. To hear reports of the Town Officers and Committees; or act in relation thereto.

SUBMITTED BY: **Board of Selectmen**

ARTICLE 2. To see if the Town will vote to appropriate from Free Cash a certain sum to the Stabilization Fund; or act in relation thereto.

SUBMITTED BY: **Board of Selectmen
Town Manager**

ARTICLE 3. To see if the Town will vote to appropriate from Free Cash a certain sum for the reduction of the tax rate; or act in relation thereto.

SUBMITTED BY: **Board of Selectmen
Town Manager**

ARTICLE 4. To see if the Town will vote to amend the Fiscal Year 2002 operating budget under Article 2 of the Annual Town Meeting held on April 30, 2001 as follows:

Decrease Line Item # 2 Municipal Administration Expenses	\$6,795
Decrease Line Item # 3 Chelmsford School Department	\$99,273
Decrease Line Item # 6 Public Safety Expenses	\$7,470
Decrease Line Item # 8 Public Works Expenses	\$28,076
Decrease Line Item # 13 Community Services Expenses	\$1,822
Decrease Line Item # 15 Library Expenses	\$4,063
Decrease Line Item # 18 Interest	\$50,000

nd that the Town transfer a certain sum from Free Cash to defray Town charges for the fiscal period July 1, 2001 to June 30, 2002; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 5. To see if the Town will vote to amend the Fiscal Year 2002 operating budget under Article 2 of the Annual Town Meeting held on April 30, 2001 by increasing Line Item # 3 Chelmsford School Department by a certain sum; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 6. To see if the Town will vote to appropriate from Free Cash the sum of \$38,933 for the retroactive payment of Fiscal Year 2001 salary increases for members of the Town of Chelmsford Clerical Union; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 7. To see if the Town will vote to amend the Fiscal Year 2002 operating budget under Article 2 of the Annual Town Meeting held on April 30, 2001 as follows:

increase Line Item # 1 Municipal Administration Personnel	\$13,664
increase Line Item # 5 Public Safety Personnel	\$22,919
increase Line Item # 7 Public Works Personnel	\$ 8,621
increase Line Item # 12 Community Services Personnel	\$ 5,206

and that the Town raise and appropriate the sum of \$50,411 to defray these increases; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 8. To see if the Town will vote to appropriate from Free Cash a certain sum to the School Department, said funding coming from Medicaid reimbursements; or act in relation thereto.

SUBMITTED BY: **Town Manager**
School Committee

ARTICLE 9. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money with which to pay bills of previous fiscal years; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 10. To see if the Town will vote to transfer a certain sum from Special Revenue to the School Department, said funding coming from E-Rate reimbursements; or act in relation thereto.

SUBMITTED BY: **Town Manager**
School Committee

ARTICLE 11. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money to fund the Community Action Program established under Article 12 of the April 29, 1996 Annual Town Meeting. The purpose of this program shall be to provide matching funds to community improvement projects undertaken by individuals and/or organizations within the Town of Chelmsford; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 12. To see if the Town will vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sewer Easements in Chelmsford, Massachusetts, Berkeley Drive area – Phase 4D Sewers" dated September 2001, a copy of which is on file in the office of the Town Engineer and is incorporated herein by reference, for the purpose of constructing and maintaining sewers, pumping stations, and all other appurtenances thereto; and to see if the Town will vote to raise and appropriate from the stabilization fund, transfer or appropriate from revenue sharing funds and/or borrow a certain sum of money to defray all necessary costs, fees, and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

SUBMITTED BY: **Sewer Commission**

ARTICLE 13. To see if the Town will vote to amend the votes taken under Article 11 of the April 27, 1998 Town Meeting and Article 14 of the October 19, 1998 Annual Town Meeting and Article 23 of the October 18, 1999 Annual Town Meeting to appropriate a certain sum of money, in addition to the sum of \$5,690,000 previously appropriated, for the purpose of designing, constructing and originally equipping a police station; and to determine whether this appropriation shall be raised by borrowing or otherwise; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 14. To see if the Town will vote to acquire by purchase, gift, eminent domain, or otherwise, the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Chelmsford Center Project 05809, prepared by Vanasse Hangen Brustlin, Inc.," a copy of which is on file in the Office of the Town Engineer and is incorporated herein by reference, for the purpose of Central Square Improvements; and to vote to raise and appropriate, transfer from available funds, or borrow a sum of money for said acquisition, or to take any other action relative thereto.

SUBMITTED BY: **Board of Selectmen**

ARTICLE 15. To see if the Town will vote to amend the General Bylaws by deleting the existing Chapter 100, Noise in its entirety and replacing with the following:

Chapter 100 NOISE

Sections:

- 100-1 Causing and permitting prohibited.**
- 100-2 Applicability.**
- 100-3 Special Restrictions.**
- 100-4 Exemptions.**
- 100-5 Enforcement Authority.**
- 100-6 Violation-Penalty.**

100-1 Causing and permitting prohibited.

No person owning, leasing, or controlling a source of sound shall willfully, negligently, or through failure to provide necessary equipment, service or maintenance or to take necessary precautions cause, suffer, allow, or permit unnecessary emissions from said source of sound that may cause noise.

100-2 Applicability

This bylaw shall pertain to, but shall not be limited to outdoor sound amplifying equipment, prolonged unattended sounding of burglar alarms, motor vehicle trucks idling for more than five minutes, construction and demolition equipment which characteristically emit sound but may be fitted and accommodated with equipment such as enclosures to suppress sound or may be operated in a manner so as to suppress sound, suppressible and preventable industrial and commercial sources of sound, and other man-made sounds that cause noise.

100-3 Special Restrictions. Outdoor Sound Amplifying Equipment.

- (a) Sound amplifying equipment shall not be operated within 100 yards of hospitals, nursing homes, public housing for the elderly, schools, and churches without prior approval.

(b) The volume of the sound shall be controlled so that it will not be audible for a distance in excess of 300 feet from the sound amplifying equipment and so that said volume is not unreasonably loud, raucous, jarring, disturbing, or a nuisance to persons.

100-4 Exceptions

This bylaw shall not apply to sounds emitted during and associated with:

- (a) parades, public gatherings, or sporting events, for which permits have been issued;
- (b) emergency police, fire, and ambulance vehicles;
- (c) police, fire, and civil and national defense activities;
- (d) domestic equipment such as lawn mowers and power saws between the hours of 7:00 a.m. and 9:00 p.m. weekdays and between the hours of 9:00 a.m. and 9:00 p.m. Sundays;
- (e) places of amusement, parks and recreation areas;
- (f) idling of school buses;
- (g) emergency public utility repair.

100-5 Enforcement Authority

The police department, fire department, board of health officials, building commissioner or inspector are hereby authorized to enforce this bylaw. (Art. 15 (part), ATM 1987: By-Laws Art. XIII (part).

100-6 Violation – Penalty.

Violations of this bylaw are punishable by the following fines:

1 st offense	\$ 50.00
2 nd offense	\$100.00
3 rd offense	\$200.00

;or act in relation thereto.

Submitted by: **Police Department**

ARTICLE 16. To see if the Town will vote to amend Chapter 174, Vehicles and Traffic of the General Bylaws by adding the following:

Section 174-6 Obstruction of Fire Lanes, Handicap Parking Spaces, Crosshatches, or Sidewalks
It shall be unlawful to obstruct or interrupt or otherwise adversely affect the unrestricted flow of traffic or safe travel of any pedestrian in any fire lane, handicap parking space, crosshatch or sidewalk within the town of Chelmsford. The depositing or displaying of goods, snow, wares, or other items shall constitute an obstruction of the designated areas.

Individuals or ownership shall be subject to a \$100.00 (one hundred dollar) fine for said violation for the first offense. Subsequent violations shall be subject to a fine of \$200.00 (two hundred dollars).

;or act in relation thereto.

Submitted by: **Police Department**

ARTICLE 17. To see if the Town will vote, in conjunction with the North Chelmsford Water District, the East Chelmsford Water District and the Chelmsford Water District Commissioners to appoint a Committee to study the relocation of the DPW yard from its current location on Richardson Road to another suitable location and to report the findings to the Selectmen for further action, if appropriate, or to take any other action relative thereto.

Submitted by: **Petition**

ARTICLE 18. To see if the Town will vote to amend the Chelmsford Zoning Map as follows:

To rezone from the 1-A Limited Industrial District to the CC Shopping Center Commercial district that certain tract of land containing approximately thirty-two (32) acres located off of Westford Street and Steadman Street in Chelmsford, Massachusetts, commonly referred to as the Glenview property, shown as two parcels on Chelmsford Board of Assessors' Map 32, Block 110, Lot 1, and Chelmsford Board of Assessors' Map 33, Block 110, Lot 2, or to take any other action relative thereto.

Submitted by: **Petition**

ARTICLE 19. To see if the Town will vote to amend the Zoning Bylaw, Chapter 195 of the Chelmsford Code, Article III, Use Regulations, by inserting a new Section 195-6.1 Limited Accessory Apartment, which reads:

195-6.1 Limited Accessory Apartment

195.6.2 Objectives.

- A. To allow the provision of a limited accessory apartment within a single family detached dwelling for the use of the owner/occupant's parent(s) or handicapped relative(s).
- B. To assure that the single family character of the neighborhood will be maintained.
- C. To assure that the limited accessory apartment shall not be converted to a rental unit.

195-6.3 Applicability.

A Special Permit may be granted by the Zoning Board of Appeals for the conversion of an existing or new single family detached dwelling to accommodate a limited accessory apartment by the installation of a common wall or the partitioning of or extension of existing living space.

Such limited accessory apartment shall, at the discretion of the Zoning Board of Appeals, accommodate up to a maximum of two (2) persons, provided that the owner of record of the structure

is a resident of the structure which includes the limited accessory apartment. Limited accessory apartments shall be allowed only if the resident(s) of the limited accessory apartment are parent(s) or a handicapped relative of the owner of the premises. The limited accessory apartment shall not be converted to a rental unit.

195.6.4 Standards.

- A. Ingress, Egress, Access: Adequate provision, as determined by the Inspector of Buildings, shall be provided for separate ingress and egress to the outside of the limited accessory apartment. To the extent possible, exterior passage ways and access ways shall not detract from the single family appearance of the dwelling. Any new exterior entrance for the limited accessory apartment shall be located to the side or rear of the dwelling. An interior doorway shall be provided between the limited accessory apartment and the principal dwelling unit.
- B. Area Limitation: Limited accessory apartments shall be limited to a maximum of six hundred (600) square feet of gross floor area.
- C. Parking and Utilities: Provisions for off-street parking of residents and guests of both units shall be provided in such a fashion as is consistent with the character of the neighborhood, as determined by the Zoning Board of Appeals. The requirements of section 195-17 need not apply to the limited accessory apartment. Both the principal and accessory apartment shall be tied into town sewer, if available. The limited accessory apartment shall not have separate metered utilities, unless required by the State Building Code.
- D. Special Permit: After the recording of the Special Permit at the Registry of Deeds, a building permit may be issued.
- E. Occupancy Permit, Control: No occupancy of the limited accessory apartment shall take place without an occupancy permit issued by the Inspector of Buildings. The initial occupancy permit shall remain in force for a period of three (3) years from the date of issuance, provided ownership of the residence is not changed. Thereafter, permits may be issued by the Inspector of Buildings for succeeding three (3) year periods provided that the structure and use continue to comply with the relevant provisions of the State Building Code, this By-Law, and the Special Permit. If the relative of the owner vacates this property, the use of the limited accessory apartment shall be discontinued. Use of the limited accessory apartment shall cease upon conveyance of the property, and the kitchen shall be removed.
- F. Submittal: In addition to the normal submittal requirements of the Board of Appeals for a limited accessory apartment the following shall be submitted:
 - 1) Architectural plans for the entire structure, including building elevations and floor plans.
 - 2) Site Plan showing at a minimum the footprint of all structures, all building entrances and exits, parking, and screening from abutting uses.
 - 3) The names of the owner and the person(s) proposed to reside in the limited accessory apartment.

; and by adding the following terms to Article XX, Terminology, Section 195-108, Word Usage and Definitions:

Limited Accessory Apartment: A dwelling unit contained within or being an extension of a single family detached structure to accommodate a parent(s), or handicapped relative of the owner/occupant of the premises.

Kitchen: A place for the preparation of meals, having a stove and either or both a sink and a refrigerator.

; or act in relation thereto.

Submitted by: **Planning Board**

ARTICLE 20. To see if the Town will vote to amend the Zoning Bylaw, Chapter 195 of the Chelmsford Code, Article IV, Dimensional Regulations, by deleting the existing Section 195-11, Accessory Buildings, which reads:

S. 195-11. Accessory buildings. [Amended 10-21-1999 ATM by Art. 29]

No accessory building or structure, except a permitted sign or roadside stand, shall be located within a required front yard area. A detached accessory building may be located in the rear yard areas and on the same lot as a principal building, provided that not more than 25% of the required yard area shall be so occupied, and further provided that an accessory building or swimming pool shall not be located nearer than 10 feet from the principal building and at least 10 feet from any side or rear lot line. An accessory building attached to its principal building or within 10 feet of it shall be considered an integral part thereof and as such shall be subject to the front, side and rear yard requirements applicable to the principal building.

; and inserting the following new Section 195-11. Language to be deleted is underlined and language to be added is **bolded**. The section will read:

S. 195-11. Accessory buildings.

No accessory building or structure, except a permitted sign or roadside stand, shall be located within a required front yard area. Detached accessory buildings may be located in the rear **or side** yard areas and on the same lot as a principal building, provided that not more than 25% of the required yard area shall be so occupied, and further provided that **a** an accessory building or swimming pool shall not be located nearer than 10 feet from the principal building and **shall be** at least 10 feet from any side or rear lot line. An accessory building attached to its principal building or within 10 feet of it shall be considered an integral part thereof and as such shall be subject to the front, side and rear yard requirements applicable to the principal building. **An accessory building smaller than 260 square feet shall not be located closer than 10 feet to any side or rear lot line. An accessory building larger than 260 square feet shall be subject to the front, side and rear yard requirements applicable to the principal building.**

; or act in relation thereto.

Submitted by: **Planning Board**

ARTICLE 21. To see if the Town will vote to amend the Zoning Bylaw, Chapter 195 of the Chelmsford Code, Article XIV, Aquifer Protection District, Section 195-71, Establishment and Delineation of District, by amending the Aquifer Protection District Map. The amendment will correct a drafting error in the vicinity of Black Brook, north of Route 3 and west of Stedman Street, as shown on the attached map; or act in relation thereto.

; or act in relation thereto.

Submitted by: **Planning Board**

ARTICLE 22. To see if the Town will vote to amend the Zoning Bylaw, Chapter 195 of the Chelmsford Code, Article XIII, Wireless Communications Facilities, by deleting the existing Article XIII which reads:

ARTICLE XIII Wireless Communications Facilities

S. 195-64. Purpose.

The purpose of these regulations includes: to establish siting criteria and standards for communication towers and facilities; to minimize the adverse visual impacts of wireless communications facilities, satellite dishes and antennas on adjacent properties and residential neighborhoods; to minimize the overall number and height of such facilities to only what is essential; and to promote shared use of existing facilities to reduce the need for new facilities. This article is intended to establish reasonable regulations while allowing adequate service to residents, the traveling public and others within the town and to accommodate the need for the minimum number of such facilities within the town. This article shall not apply to satellite dishes and antennas for residential use which are regulated under ~ 195-14.

S. 195-65. Special permit required; general standards.

No wireless communications facility shall be erected or installed except in compliance with the provisions of this chapter. In all cases, a special permit is required from the Board of Appeals. Any proposed extension in the height, addition of cells, antennas or panels or construction of a new or replacement facility shall be subject to a new application for a special permit. Attachment of cells, antennas or panels to existing suitable structures shall be subject to application for a special permit.

- A. Only freestanding monopoles, with associated antennas and/or panels, may be allowed. Lattice-style towers and similar facilities requiring three or more legs and/or guy wires for support are not allowed. For the purposes of this section, "monopole" shall mean a pole consisting of not more than one leg, anchored in the ground, which is not supported by guy wires or other bracing. Monopoles shall be set back from the property line a distance at least equal to the height of the monopoles.
- B. Erection of new monopoles may be allowed by special permit in any commercial district, industrial district or public district.

- C. New structures shall be located within 500 feet of a limited access highway as defined by state and federal standards.
- E. No new monopoles shall be erected within 500 feet of an existing residential structure or within two miles of another existing or approved monopole.
- F. Structures shall be removed within one year of cessation of use. If applicable, proof of continued compliance with the standards of the Federal Communications Commission (FCC), Federal Aviation Administration (FAA), the American National Standards Institute (ANSI) and the State Building Code and required maintenance shall be filed with the Inspector of Buildings by the special permit holder on an annual basis or as deemed necessary by the Inspector of Buildings.
- G. Not more than one monopole shall be located on a lot.

S. 195-66. Application procedure.

All applications for special permits for wireless communications facilities, antennas or satellite dishes shall be made and filed in compliance with the rules and regulations of the Chelmsford Board of Appeals. In addition to the minimum requirements of the Board of Appeals, applicants under this article shall include the following:

- A. A locus plan which shall show all property lines, the exact location of the proposed structure(s), streets, landscape features, residential dwellings and all buildings within 500 feet of the facility.
- B. A color photograph or rendition of the proposed monopole with its antenna and/or panels. For satellite dishes or antennas, a color photograph or rendition illustrating the dish at the proposed location is required. A rendition shall also be prepared illustrating a view of the monopole, dish or antenna from the nearest street or streets.
- C. The following information prepared by one or more professional engineers:
 - 1. A description of the monopole and the technical, economic and other reasons for the proposed location, height and design.
 - 2. Confirmation that the monopole complies with all applicable federal and state standards.
 - 3. A description of the capacity of the monopole, including the number and type of panels, antennas and/or transmitter receivers that it can accommodate and the basis for these calculations.
 - 4. If applicable, a written statement that the proposed facility complies with or is exempt from applicable regulations administered by the Federal Aviation Administration (FAA), Federal Communications Commission (FCC), Massachusetts Aeronautics Commission and the Massachusetts Department of Public Health.

S. 195-67. Design requirements.

Wireless communications facilities shall conform to the following requirements:

- A. All monopoles shall be designed to be constructed at the minimum height necessary to accommodate the anticipated and future use. The setback of a monopole from the property line of the lot on which it is located shall be at least equal to the height of the monopole.
- B. No monopole or attached accessory antenna on a monopole shall exceed 120 feet in height as measured from ground level at the base of the pole. No monopole shall be constructed which requires guy wires. Monopoles shall not be located on buildings.
- C. Antennas or dishes located on nonresidential buildings shall not exceed 10 feet in height above the roofline of the structure. Satellite dishes and/or antennas shall be situated on or attached to a structure in such a manner that they are screened, preferably not being visible from abutting streets.

- D. All wireless communications facilities shall be sited in such a manner that the view of the facility from adjacent abutters, residential neighbors and other areas of town shall be as limited as possible. No monopole shall be visible from any location within the Historic District. All monopoles and dishes shall be painted or otherwise colored so that they blend in with the landscape or the structure on which they are located, and existing on-site vegetation shall be preserved to the maximum extent possible.
- E. There shall be a minimum of one parking space for each facility, to be used in connection with the maintenance of the site and not to be used for the permanent storage of vehicles or other equipment. Traffic associated with any wireless communications facility shall not adversely affect abutting ways.
- F. Wireless communications facilities shall be designed to accommodate the maximum number of users technologically practical so as to reduce the number of facilities which will be required to be located within the community.
- G. Fencing shall be provided to control access to wireless communications facilities and shall be compatible with the character of the town and shall not be of razor wire. The fence shall be surrounded by a screen of plantings of sufficient density and height so as to shield the fence from view.
- H. There shall be no signs, except for announcement signs, no trespassing signs and a required sign giving a phone number where the owner can be reached on a twenty-four-hour basis. All signs shall conform to Article VII, Signs and Outdoor Lighting.
- I. Night lighting of towers shall be prohibited unless required by the Federal Aviation Administration (FAA). Lighting shall be limited to that needed for emergencies and/or as required by the FAA.

S. 195-68. Review procedure.

Applications for special permits may be approved where the Board of Appeals determines compliance with the requirements set forth herein. When considering an application for a wireless communications facility, the Board of Appeals shall place great emphasis on the proximity of the facility to residential neighborhoods and its impact on these residences. New facilities shall only be considered after a finding that existing (or previously approved) facilities cannot accommodate the proposed use(s). When considering an application for an antenna or dish proposed to be placed on a structure, the Board shall place great emphasis on the visual impact of the unit on the abutting neighborhoods and street(s).

; and inserting the following:

ARTICLE XIII

Wireless Communications Facilities

S. 195-64. Purpose.

The purpose of these regulations is to establish siting criteria and standards for Wireless Communication Facilities (WCF's); to minimize the adverse visual impacts of WCF's on nearby properties and residential neighborhoods; to encourage the location of WCF's in non-residential neighborhoods; to minimize the overall number and height of monopoles to only what is essential; and to promote co-location of WCF's to reduce the need for additional monopoles. This article is intended to establish reasonable regulations while allowing adequate service to residents, the traveling public and others within the town, and to minimize the number of monopoles within the town. Preference shall be given to Wireless Communications Facilities that are located in non-residential zoning

districts. This article shall not apply to transmission facilities necessary for public safety, satellite dishes, ham radio antennas, or antennas for residential use which are regulated under S. 195-14.

S. 195-65. Definitions

For the purposes of this section the following terms shall have the following meanings:

Co-Location shall mean the use of a single mount by more than one carrier and/or several mounts on a tower, monopole, building, or structure by multiple carriers for the purpose of providing Wireless Communications Services. Each service on co-locations is a separate Wireless Communications Facility.

Monopole shall mean a pole consisting of not more than one leg, anchored in the ground, which is not supported by guy wires or other bracing.

Wireless Communications Facility (WCF) shall mean a facility for the provision of Wireless Communications Service, including but not limited to towers, monopoles, antennas, antennas attached to existing structures and associated accessory structures, if any, which facilitate the provision of Wireless Communications Service.

Wireless Communications Services shall mean the provision of the following types of services: cellular telephone, personal communications and enhanced specialized mobile radio service as described in the Telecommunications Act of 1996.

S. 195-66. By Right Uses; General Standards

Wireless Communications Facilities that meet the following standards shall be eligible for a Building Permit by right.

- A. The Wireless Communications Facility will be attached to an existing building or structure and
 1. will not extend more than 20 feet above the uppermost part of the structure, or;
 2. will be attached to a lawfully existing monopole or lattice tower, where such existing monopole or lattice tower is not extended in height, or;
 3. will be attached to a lawfully existing expandable monopole approved by the Board of Appeals, where such expansion is not higher than that approved by the Board of Appeals.
- B. The Wireless Communications Facility will be located in one of the following zoning districts: CA, CB, CC, CD, IA, IS, or P.
- C. Wireless Communications Facilities will be at least 500 feet from a residential structure. This measurement shall be from the face of the Wireless Communications Facility to the closest point of the residential structure.
- D. Wireless Communications Facilities shall be removed within one year of cessation of use. If applicable, proof of required maintenance and continued compliance with the standards of the Federal Communications Commission (FCC), Federal Aviation Administration (FAA), the American National Standards Institute (ANSI), and the State Building Code shall be filed with the Inspector of Buildings by the permit holder on an annual basis or as deemed necessary by the Inspector of Buildings.

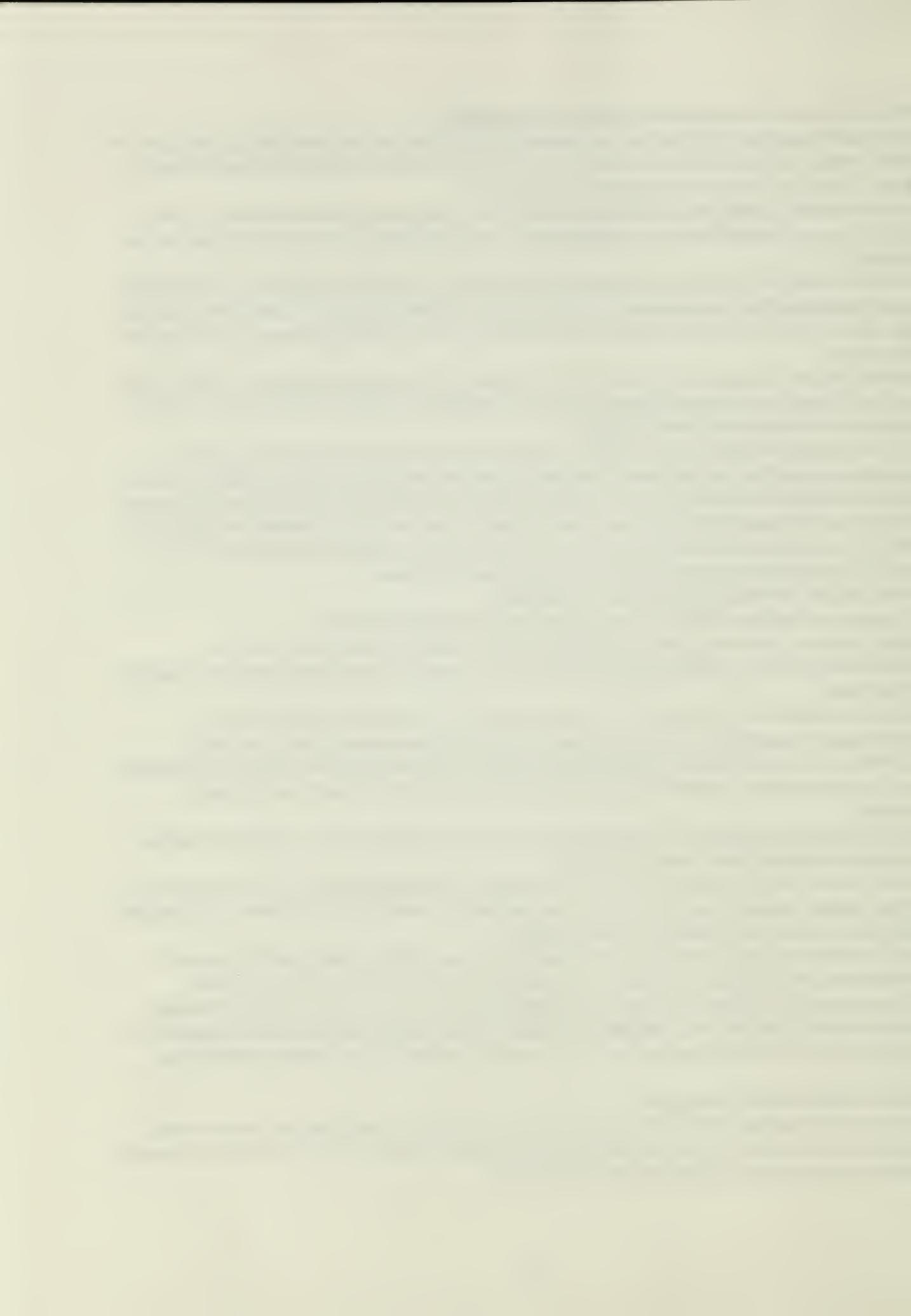
S. 195-67. Special Permit Uses; General Standards

Wireless Communications Facilities that are proposed to be located on new monopoles or which do not otherwise comply with the standards of Section 195-66 shall be subject to a Special Permit issued by the Board of Appeals. The following standards shall apply:

- A. Only freestanding monopoles, with associated antennas and/or panels, shall be allowed. Lattice-style towers and similar facilities requiring three or more legs and/or guy wires for support are not allowed.
- B. Monopoles shall be set back from the property line 50 feet or a distance equal to one and one-half times the height of the largest section of the monopole, whichever is greater. The Board of Appeals may allow a reduced setback if it specifically finds that safety of abutting property owners will be maintained.
- C. Erection of new monopoles may be allowed by special permit in any zoning district. WCF's shall only be allowed in a residential zoning district if the Board of Appeals specifically finds that the impact on residential uses will be minimal.
- D. No new monopoles shall be erected within 500 feet of an existing residential structure. This measurement shall be from the base of the monopole to the closest point of the residential structure.
- E. Monopoles shall not normally exceed 150 feet in height as measured from ground level at the base of the pole. The Board of Appeals may allow a monopole in excess of 150 feet but not higher than 180' if it specifically finds that the benefits of a taller monopole outweigh the deficits and if it specifically finds that a taller monopole supports greater co-location.
- F. In no case shall a monopole be located on a building.
- G. No monopole shall be visible from any location within the Historic District.
- H. Night lighting of monopoles shall be prohibited unless required by the Federal Aviation Administration (FAA). Lighting shall be limited to that needed for emergencies and/or as required by the FAA.
- I. Monopoles shall be designed and located to accommodate the maximum number of users technologically practicable in order to reduce the number of monopoles in the community.
- J. All Wireless Communications Facilities shall be sited in such a manner that the view of the facility from adjacent abutters, residential neighbors, and other areas of town shall be as limited as possible.
- K. Fencing shall be provided to control access to monopoles and other WCF's. The fence shall be screened as required by the Board of Appeals.
- L. There shall be no signs, except for announcement signs, no trespassing signs, and a required sign giving a phone number where the owner can be reached on a twenty-four-hour basis. All signs shall conform to Article VII, Signs and Outdoor Lighting.
- M. WCF's shall be removed within one year of cessation of use. If applicable, proof of required maintenance and continued compliance with the standards of the Federal Communications Commission (FCC), Federal Aviation Administration (FAA), the American National Standards Institute (ANSI), and the State Building Code shall be filed with the Inspector of Buildings by the special permit holder on an annual basis or as deemed necessary by the Inspector of Buildings.

S. 195-68. Application Procedures

All special permit applications for WCF's shall be made and filed in compliance with the rules and regulations of the Board of Appeals. In addition to the minimum requirements of the Board of Appeals, applications under this article shall include the following:



- A. A locus plan showing all property lines, the exact location of the proposed WCF, all structures on the lot, abutting streets, landscape features, and all structures within 500 feet as measured from the property line of the lot where the WCF is proposed.
- B. A color photograph or rendering of the proposed WCF. For WCF's attached to existing structures, a color photograph or rendition illustrating the WCF at the proposed location is required. A rendering shall also be provided illustrating a view of the WCF from the nearest street or streets.
- C. The following information prepared by one or more professional engineers:
 - 1. A description of the WCF and the technical, economic, and other reasons for the proposed location, height, and design.
 - 2. Confirmation that the WCF complies with all applicable federal and state standards.
 - 3. A description of the capacity of the monopole, including the number and type of WCF's that it can accommodate and the basis for these calculations.
 - 4. If applicable, a written statement that the proposed facility complies with or is exempt from applicable regulations administered by the Federal Aviation Administration (FAA), Federal Communications Commission (FCC), Massachusetts Aeronautics Commission, and the Massachusetts Department of Public Health.
- D. Coverage maps showing existing coverages and coverages with the proposed WCF.
- E. Visibility maps showing all locations where the WCF will be visible.
- F. The Board of Appeals may require balloon, crane, or other tests at the proposed WCF in order to determine visual and aesthetic impacts.
- G. The Board may require additional information in order to determine visual and aesthetic impacts and the Board may require that Wireless Communications Facilities be camouflaged in order to minimize visual intrusion.

;and amend the Use Regulation Schedule, category C. 26, Wireless Communications Facilities, as follows:

Existing:

Principal Use	RA	RB	RC	RM	CA	CB	CC	CD	CV	IA	IS	RMH	CX	P	OS	
26. Wireless Communications Facility	N	N	N	N	BA	N	N	BA	N							

Proposed:

Principal Use	RA	RB	RC	RM	CA	CB	CC	CD	CV	IA	IS	RMH	CX	P	OS
26. Wireless Communications Facility	BA ¹³	BA ¹³	BA ¹³	BA ¹³	Y ¹³	Y ¹³	Y ¹³	Y ¹³	BA ¹³	Y ¹³	Y ¹³	BA ¹³	BA ¹³	Y ¹³	BA ¹³

¹³ Subject to the requirements of Article XIII

; or act in relation thereto.

Submitted by: **Planning Board**

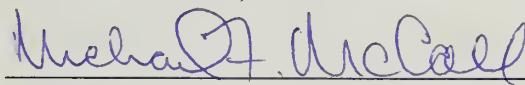
Hereof fail not and make return of this warrant with your doings at the time and place of said meeting.

Given under our hands this 24th day of September, 2001.

BOARD OF SELECTMEN OF THE TOWN OF CHELMSFORD



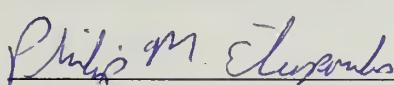
Thomas E. Moran, Chairman



Michael F. McCall, Vice Chairman

William F. Dalton, Clerk

Stuart G. Weisfeldt



Philip M. Eliopoulos

NOTICE OF PROPOSED DATES
AND TIMES FOR CONTINUED SESSIONS OF THE
ANNUAL TOWN MEETING

The Board of Selectmen shall propose the following dates and times for continued sessions of the Town Meeting of October 15, 2001:

Thursday, October 18, 2001 at 7:30 p.m.

Monday, October 22, 2001 at 7:30 p.m.

Thursday, October 25, 2001 at 7:30 p.m.

If additional continued sessions are necessary they shall take place on the Monday and Thursday of the next consecutive week until the meetings are concluded.

Pursuant to General By-laws Article II, Section 4.10 Notice these dates and times are proposed and are subject to change by vote of the Town Meeting Representatives.

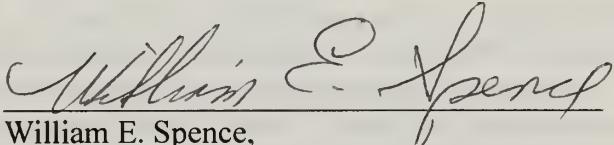
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

9-25-, 2001

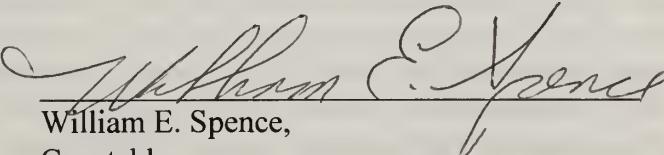
Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westlands School Cafetorium, Byam School Cafetorium, Westlands School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, Town Office Building Gym, and Town Office Building Lobby.

Signed:



William E. Spence,
Constable

A True Copy Attest,



William E. Spence,
Constable

ANNUAL FALL TOWN MEETING

October 15, 2001

The Annual Town Meeting was called to order at 7:35 PM at the Senior Center. The Moderator Dennis E. McHugh recognized the presence of a quorum. There were 150 Town Meeting Representatives present. The Moderator pointed out the fire exits located in the room and then went over the rules and procedures of the meeting, regarding amending motions and discussions. He then asked for the Body to observe a moment of silence for James Brough who passed away July 7th. Mr Brough was an elected member of the School Committee from 1983-1988.

Selectman Thomas Moran moved that the reading of the Constable's return of the Annual Town Meeting warrant be waived. Motion carried, unanimously. Selectman Thomas Moran moved that the reading of the entire warrant be waived. Motion carried, unanimously. The Moderator asked that the Body vote to allow non-resident Perter Shanahan, who is an Hydraulic Engineer for the North Water Department permission to speak and address the Body when article 18 came up. Motion carried, unanimously.

UNDER ARTICLE 1. Selectman Thomas E. Moran moved that the Town vote to hear reports of the Town Officers and Committees.

Town Manager Bernard Lynch explained that the Secondary Schools Building Committee (SSBC) was going to present a progress report of the committee. Once that presentation was over, he would then give a report. Dean Carmeris, Chairman of the Secondary Schools Building Committee explained that his committee resulted as a follow up to the Building Needs Committee. The purpose of the SSBC is to research and implement the recommendations made by the Building Needs Committee. This is a twelve member board which was appointed by the Town Manager with input from the School Superintendent. He went over the committee's mission, and goal. The first community input hearing is scheduled for October 24th at the Parker School, this will be followed with another meeting in November. The committee will then seek approval from the School Committee, Board of Selectmen, and the SBAB. There will be a special town meeting called probably in March, followed with a town wide ballot question in April. He encouraged the representatives and audience to follow the progress through the committee's website. To listen to the various public presentations and watch the local tv shows and to come to the public meetings. He asked for any questions, Hearing none, he concluded his report.

The Town Manager presented his report. He started by addressing a memo he had sent to various members of boards/committees and department heads, regarding the Town's 350th anniversary of corporation in the year 2005. The Town needs to start planning and making preparations. He wanted the representatives and citizens to know that anyone who wanted to be on the committee should contact him. His next report was about the Town's financial status. Presently the Town is in good shape financially. There is \$1,969,661 in free cash. He proceeded to give a breakdown of what articles free cash will fund for a total of \$1,254,510 being used. This will leave a balance of \$715,051. Some of this will also be used at the Spring Town Meeting to fund capital planning projects. The Town has good strong reserves, but the economy will experience a down turn and there will be less free cash in the future. He is making some budget cuts in the FY02 budget which will be addressed later. The Central Square project will start in the spring. After eighteen years of waiting, the Freeman Bike Path has gone out to bid. The location of the DPW site is being researched and the bidding of the Police Station will be addressed later in the meeting. The Moderator asked if there was any other reports to be heard? Hearing none, he continues onto article 2.

UNDER ARTICLE 2. Town Manager Bernard Lynch moved that the Town vote to appropriate \$500,000 from Free Cash to the Stabilization Fund.

The Town Manager explained that even though this is a standard article, it is an important one. In the spring, money was taken out of free cash and put into the reserves for planned uses, like the Library and Police Station project. There is a closing balance of \$7.9 million dollars which is 9.8% of the operating budget. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was a need to hear any debate? Hearing none, he asked for a vote by way of a show of hands. **Motion carried, unanimously.**

UNDER ARTICLE 3. The Town Manager explained that this article is to be withdrawn. Due to the present economic conditions "out there" a decision was made not to proceed with the article. Money will be needed to offset future costs. Over the past several years \$4,638,072 has been turned back to the tax payers. The Moderator asked for a vote to withdraw by way of a show of hands, **motion carried, unanimously.** The article read as follows:

Town Manager Bernard Lynch moved that the Town vote to appropriate a certain sum of money, from Free Cash for the reduction of the tax rate.

UNDER ARTICLE 4. The Town Manager explained that the budget passed at the April Town Meeting was a balanced budget. It was explained at that meeting that other expenses may occur which weren't addressed at that time. Now the final figures have been arrived at, there is a shortfall of \$745,718. He then showed a viewgraph citing the different areas where the shortfall occurred. New building construction was down \$50,000. The estimate for collecting local receipts was decreased by \$215,320. The departments were asked to decrease their expense account by 1% in order to make up for the shortfall. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was a need to hear any debate? Hearing none, he asked for a vote by way of a show of hands. **Motion carried, unanimously.** Town Manager Bernard Lynch moved that the Town vote to amend the Fiscal Year 2002 operating budget under Article 2 of the Annual Town Meeting held on April 30, 2001 as follows:

Decrease Line Item # 2 Municipal Administration Expenses	\$6,795
Decrease Line Item # 3 Chelmsford School Department	\$99,273
Decrease Line Item # 6 Public Safety Expenses	\$7,470
Decrease Line Item # 8 Public Works Expenses	\$28,076
Decrease Line Item # 13 Community Services Expenses	\$1,822
Decrease Line Item # 15 Library Expenses	\$4,063
Decrease Line Item # 18 Interest	\$50,000

and that the Town transfer \$548,371 from Free Cash to defray Town charges for the fiscal period July 1, 2001 to June 30, 2002.

UNDER ARTICLE 5. The Moderator began to read the article and stopped. The Town Manager said that he was going to withdraw this article. The State hasn't provided any figures yet because their budget hasn't been voted. He had received a directive not to utilize estimates in the Senate or House budgets. He is to use what is in the Governor's budget, which is Chapter 70 money that is currently being carried in the Town's budget. Once the legislation finally acts a special town meeting will be called in order to appropriate the money needed for the article. There is the possibility that the Department of Revenue will just transfer the money on the recap sheet that is used to set the

tax rate. If this is done then there wouldn't be any need for a special meeting. Dennis Ready questioned if the estimated amount was \$105,000 before the budget was frozen. The Manager replied that was the figure. Dennis Ready said he heard that the budget was to be voted by November 15th, if this was the case could the Town vote a contingent figure? The Manager asked Town counsel's opinion. Town Counsel Joel Bard said he didn't foresee a legal problem, but does see a problem with the Department of Revenue approving it. Mark Connors questioned if the Body could still vote a figure anyway and if the State comes through before the figure is submitted on the recap sheet then there would be no issue. The Manager asked the Town Counsel to reword the motion to reflect the contingency clause. After a discussion among the Finance Committee, Town Manager, School Committee and Town Counsel the Moderator read the motion to amend:

Town Manager Bernard Lynch moved that the Town vote to amend the Fiscal Year 2002 operating budget under Article 2 of the Annual Town Meeting held on April 30, 2001 by increasing Line Item # 3 Chelmsford School Department by \$105,000.00, contingent upon receipt of at least \$8,240,939.00 in Chapter 70 funds from the Commonwealth in FY 2002.

The Moderator asked for the Finance Committee's recommendation. The Finance Committee did not recommend the article. The Board of Selectmen were in favor of the article. Sandra Martinez questioned the Finance Committee's reasoning. Chairman of the Finance Committee Samuel Chase said that the Board felt it would be better to wait for the actual figure from the State and act upon it in the Spring. The Moderator asked if there was a need to hear any debate? Hearing none, he asked for a vote on the motion to amend by way of a show of hands. **Motion carried, unanimously.** The Moderator then asked for a vote on the main motion as amended by way of a show of hands. **Motion carried.**

UNDER ARTICLE 6. The Manager said that this article is the result of the clerical bargaining agreement. Both sides felt that this was a positive agreement, good thru 2004. He went over the different areas that were agreed upon. There will be a 3% increase in FY for 2001, for FY 2002 and 2003 a 4% increase for each year. There will be bi-weekly payroll at some point. An increase in longevity. Phase in payment of sick time by back. Increase in uniform allowances. Improve language regarding promotions and hours of work, increase the bereavement clause. The payroll administrator position will become a non-union position. There will be a retro pay regarding the FY01 amount due to the employees. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was a need to hear any debate? Hearing none, he asked for a vote by way of a show of hands. **Motion carried, unanimously.** The article reads as follows:

Town Manager Bernard Lynch moved that the Town vote to appropriate from Free Cash the sum of \$38,933 for the retroactive payment of Fiscal Year 2001 salary increases for members of the Town of Chelmsford Clerical Union.

UNDER ARTICLE 7. Town Manager Bernard Lynch moved that the Town vote to amend the Fiscal Year 2002 operating budget under Article 2 of the Annual Town Meeting held on April 30, 2001 as follows:

Increase Line Item # 1 Municipal Administration Personnel	\$13,664
Increase Line Item # 5 Public Safety Personnel	\$22,919
Increase Line Item # 7 Public Works Personnel	\$ 8,621
Increase Line Item # 12 Community Services Personnel	\$ 5,206

and that the Town raise and appropriate the sum of \$50,410 to defray these increases.

The Manager explained that this is the result of the passing of the previous article which effects the FY 2002 budget. At the spring town meeting \$50,000 had been put aside to cover some of the settlement. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was a need to hear any debate? Hearing none, he asked for a vote by way of a show of hands. **Motion carried, unanimously.**

UNDER ARTICLE 8. Town Manager Bernard Lynch moved that the Town vote to appropriate \$160,924 from Free Cash to the School Department, said funding coming from Medicaid reimbursements.

The Town Manager explained that the school department pays for these services through their operating budget. When the money becomes available from the state the department is reimbursed. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was a need to hear any debate? Hearing none, he asked for a vote by way of a show of hands. **Motion carried, unanimously.**

UNDER ARTICLE 9. Town Manager Bernard Lynch moved that the Town vote to transfer \$3,382.00 from free Cash to pay bills of previous fiscal years.

The Manager explained that there were two unpaid bills. One to Specialty Underwriters for \$2,747.00 and \$635.00 repair bill for cruisers. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was a need to hear any debate? Hearing none, he asked for a vote by way of a show of hands. **Motion carried, unanimously.**

UNDER ARTICLE 10. Town Manager Bernard Lynch moved that the Town vote to transfer \$50,070 from Special Revenue to the School Department, said funding coming from E-Rate reimbursements.

The Town Manager explained that this is the third year for this article. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was a need to hear any debate? Hearing none, he asked for a vote by way of a show of hands. **Motion carried, unanimously.**

UNDER ARTICLE 11. The Manager explained that he was going to withdraw this article. Presently there is a balance of \$9,800.00 so there is no need for this article, at this time. The Moderator asked if there was any need to hear any debate. Hearing none, he asked for a vote by way of a show of hands. **Motion carried, unanimously.** The article read as follows:

Town Manager Bernard Lynch moved that the Town vote to transfer \$10,000 from Free Cash to fund the Community Action Program established under Article 12 of the April 29, 1996 Annual Town Meeting. The purpose of this program shall be to provide matching funds to community improvement projects undertaken by individuals and/or organizations within the Town of Chelmsford.

UNDER ARTICLE 12. Chairman of the Sewer Commission John P. Emerson Jr, moved that the Town vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and

trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sewer Easements in Chelmsford, Massachusetts, Berkeley Drive area – Phase 4D Sewers" dated September 2001, a copy of which is on file in the office of the Town Engineer and is incorporated herein by reference, for the purpose of constructing and maintaining sewers, pumping stations, and all other appurtenances thereto.

Chairman of the Sewer Commission, John Emerson explained that this is a standard article. There is no pump station involved. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was a need to hear any debate? Hearing none, he asked for a vote by way of a show of hands. **Motion carried, unanimously.**

UNDER ARTICLE 13. Town Manager Bernard Lynch moved that the Town vote to amend the votes taken under Article 11 of the April 27, 1998 Town Meeting and Article 14 of the October 19, 1998 Annual Town Meeting and Article 23 of the October 18, 1999 Annual Town Meeting to appropriate \$1,410,000, in addition to the sum of \$5,690,000 previously appropriated, for the purpose of designing, constructing and originally equipping a police station; this appropriation shall be raised by borrowing.

The Town Manager explained that when the decision was made to move the station from the present site on North Rd to the McCarthy School site, he had requested more money. For the last three years, he had gone out on bids and tried to meet the specifications. Each time the bids came in higher than the money allocated. The project was scaled back and the building was redesigned in attempt to cut the costs. The results were still the same, there was not enough money to fund the project. More money was needed due to the construction costs. Even though the economy is starting to slow down the construction costs for public buildings hasn't been affected like the home building costs. The Town needs a new station. The present station is thirty-five years old. It was not built that well. By coming forward and requesting more money at this time, the departments current needs were re-addressed which resulted with a better building being designed. A separate building was added to the site for a gun range and mechanic bay. These items had been eliminated in order to cut costs. The Town Manager presented a list of the increased costs. Due to the fact that the site work for the proposed location has already been done, this will save time and money. The money will be borrowed at a 4½ percent rate for twenty years and financed through the budget. No override will be needed. He asked for the Representatives support of the article. John Wilder questioned what the station would look like? The Manager indicated that there were pictures of the proposed project in the back of the hall. It would be a two story building, separate men and women locker rooms. Separate areas for interviews, a mechanic's bay. Kathy Redican questioned the need for a mechanic's bay when there was one already in use at the east fire station. The Manager said that the maintenance schedule for cruisers are different than those of the fire engines, also the Fire Department needs more room. Judy Mallette questioned if the money used for this project will effect the capital planning budget? No it would not. Brian Latina questioned if the old police station could be used for a DPW garage instead of letting the School Department have it. The building isn't in the best condition it will probably be used more for storage. Will Perry asked how many bids had been received? The Manager said the first and second time there were eight or nine bids. The third time there were just four bids. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was a need to hear any debate? Hearing none, he asked for a vote by way of a show of hands. The Moderator declared that the **motion carried, by recognizing the 2/3's vote by-law.**

UNDER ARTICLE 14. The Manager explained that this article was going to be withdrawn because the Engineer was still working with an abutter. The Moderator asked for a vote by way of a show of hands. **Motion carried.** The article reads as follows:

Selectman Thomas E. Moran moved that the Town vote to acquire by purchase, gift, eminent domain, or otherwise, the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Chelmsford Center Project 05809, prepared by Vanasse Hangen Brustlin, Inc.," a copy of which is on file in the Office of the Town Engineer and is incorporated herein by reference, for the purpose of Central Square Improvements; and to vote to transfer \$3,000 from Free Cash for said acquisition.

UNDER ARTICLE 15. Dwight Hayward moved to waive the reading of the article. The Moderator asked for a show of hands, **motion carried, unanimously.** Police Chief Raymond McCusker came forward to explain the article. Before doing so he thanked the Representative for their support on the Police Station article. The Representatives responded with a round of applause. The Chief then addressed the article. He explained that the present noise by-law needed to be updated. Dennis Sheehan questioned why the fine was so high for the first offense, shouldn't there be a warning first before any fine? The Chief explained that this would be at the Police Officers discretion. More than likely warnings would be issued before any fine is enforced. George Merrill said that a baseball team practices at Varney Park and plays loud radio music all the time and it disturbs and annoys the neighbors, can this be stopped. If the team has a permitted use of the field then they are under supervision. Mark Connors expressed concerns with car alarms. Claire Jeannotte questioned if this wasn't a duplication of the burglar alarm. No it wasn't. The Finance Committee had no recommendation regarding the article. The Board of Selectmen recommended the article. A discussion took place concerning various noise. Dennis Ready moved to amend the article by adding under 100-4 H. Snow Removal Equipment. He felt that people should be able to plow out or snowblow their driveway right after a snowstorm. There shouldn't be any restriction of the time allowed to do this. The Moderator asked for a vote by way of a show of hands, **motion carried, unanimously.** Raymond Gumb came forward and explained that he is the resident who lives next to the Varney Playground. He would like to have some kind of control regarding the noise from the radios. George Merrill moved to amend the article 100-3 (C) "Carspeakers will not be audible for a distance in excess of 50 feet." Add 100-4 (A) at the end: "Such permits will not be routinely issued." Delete 100-4 (e). Chief McCusker spoke against the motion. The Moderator asked for a vote to amend by way of a show of hands, **motion defeated.** Janet Dubner moved to amend 100-4 (d) to include Saturday as weekend day, "between the hours of 9AM and 9PM Saturday and Sunday". Tony Volpe spoke against changing the hours. Should just tell the neighbor's as a courtesy, when early morning work may take place. The Moderator asked for a vote to amend by way of a show of hands, **motion defeated.** Phyllis Elias expressed concerns regarding the dollar amount of the fines. She moved to amend the article. The penalty for any violation of this chapter shall be a warning for the 1st offense, \$50.00 for the second offense, \$100.00 for the third offense, and \$200.00 for the 4th. Dennis Sheehan spoke in favor of the motion to amend. Chief McCusker spoke against the motion to amend the fines. He said that the standard operating police procedure is to warn people before issuing any fines. It is the Police Officers discretion to decide whether or not to proceed with enforcing a fine. Kathy Redican spoke against the motion to amend. The Moderator asked for a vote to amend by way of a show of hands, **motion defeated.** Clare Jeannotte moved to amend 100-2 Applicability. Delete "prolonged unattended sounding of burglar alarms" from this section. She felt that this issue was addressed under the alarm by-law and shouldn't need to be repeated. The Chief spoke against the motion. The Moderator asked for a vote by way of a show of hands, **motion defeated.** Arthur Carmen questioned if chapter 100-3

section B is unconstitutional? Town Counsel Joel Bard said it was not. Dennis Ready moved the question. The Moderator asked if there was any debate? Hearing none, he asked for a vote by way of a show of hands. **Motion carried, unanimously.** He then asked for a vote on the main motion as amended. **Motion carried.** The article reads as follows:

Selectman Thomas E. Moran moved that the Town vote to amend the General Bylaws by deleting the existing Chapter 100, Noise in its entirety and replacing with the following:

Chapter 100 NOISE

~ 100-1. Causing and permitting prohibited.

~ 100-2. Applicability.

~ 100-3. Special restrictions for outdoor sound-amplifying equipment.

~ 100-4. Exemptions.

~ 100-5. Enforcement authority.

~ 100-6. Violations and penalties.

~ 100-1. Causing and permitting prohibited.

No person owning, leasing, or controlling a source of sound shall willfully, negligently, or through failure to provide necessary equipment, service or maintenance or to take necessary precautions cause, suffer, allow, or permit unnecessary emissions from said source of sound that may cause noise.

~ 100-2. Applicability.

This chapter shall pertain to, but shall not be limited to outdoor sound-amplifying equipment, prolonged unattended sounding of burglar alarms, motor vehicle trucks idling for more than five minutes, construction and demolition equipment which characteristically emit sound but may be fitted and accommodated with equipment such as enclosures to suppress sound or may be operated in a manner so as to suppress sound, suppressible and preventable industrial and commercial sources of sound, and other man-made sounds that cause noise.

~ 100-3. Special restrictions for outdoor sound-amplifying equipment.

A. Sound-amplifying equipment shall not be operated within 100 yards of hospitals, nursing homes, public housing for the elderly, schools, and churches without prior approval from the Police Chief or his or her designee.

B. The volume of the sound shall be controlled so that it will not be audible for a distance in excess of 300 feet from the sound-amplifying equipment and so that said volume is not unreasonably loud, raucous, jarring, disturbing, or a nuisance to persons.

~ 100-4. Exceptions.

This chapter shall not apply to sounds emitted during and associated with:

- A. Parades, public gatherings, or sporting events, for which permits have been issued;
- B. Emergency police, fire, and ambulance vehicles;
- C. Police, fire, DPW, and civil and national defense activities;
- D. Domestic equipment, such as lawn mowers and power saws, between the hours of 7:00 a.m. and 9:00 p.m. weekdays and between the hours of 9:00 a.m. and 9:00 p.m. Sundays;
- E. Places of amusement, parks and recreation areas;
- F. Idling of school buses;
- G. Emergency public utility repair.
- H. Snow Removal Equipment

~100-5. Enforcement authority.

The Police Department, Fire Department, Board of Health officials, Building Commissioner or Inspector are hereby authorized to enforce this chapter. (Art. 15 (part), ATM 1987: By-Laws Art. XIII (part).

~100-6. Penalties for offenses.

The penalty for any violations of this chapter shall be \$50 for the first offense, \$100 for the second offense and \$200 for subsequent offenses.

UNDER ARTICLE 16. Selectman Thomas E. Moran moved that the Town vote to amend Chapter 174, Vehicles and Traffic of the General Bylaws by adding the following:

~174-6. Obstruction of fire lanes, handicap parking spaces, crosshatches or sidewalks.

It shall be unlawful to obstruct or otherwise adversely affect the unrestricted flow of traffic or safe travel of any pedestrian in any fire lane, handicap parking space, exterior accessible route (as defined in CMR 521, Sec. 5.5) or sidewalks within the Town of Chelmsford. The depositing or displaying of goods, snow, wares, or other items shall constitute an obstruction of the designated areas.

Individuals, business or property owners responsible for any such obstruction shall be subject to a fine of \$100 for said violation for the first offense. Subsequent violations within one year of the first offense shall be subject to a fine of \$200.

Police Chief Raymond McCusker explained that this by-law needed to be amended because store parking lots pile the snow up in the handicap parking designated areas. There is nothing in the present by-law which would allow the police to enforce keeping these areas cleared. The Finance



Committee recommended the article. The Board of Selectmen recommended the article. Selectman Eliopoulos moved to amend the article by adding the following: At the end of the second sentence "This section shall not apply to operations of the Chelmsford DPW". The Town Manager explained that there are certain areas in the Town that the sidewalks just don't get plowed. The areas all around both centers and the main streets are cleared. A discussion took place. Some Representatives didn't think it was right to make merchants adhere to the by-law and not the Town. Richard Johnson from the Disability Commission expressed the Board's concerns. The Moderator asked for a vote to amend by way of a show of hands, **motion defeated**. He then asked for a vote by way of a show of hands on the article. **Motion carried**.

UNDER ARTICLE 17. Bruce Harper moved that the Town vote, in conjunction with the North Chelmsford Water District, the East Chelmsford Water District and the Chelmsford Water District Commissioners to appoint a Committee to study the relocation of the DPW yard from its current location on Richardson Road to another suitable location and to report the findings to the Selectmen for further action, if appropriate.

Bruce Harper came forward and explained that the entire North Chelmsford Water supply is across from the present DPW operation. He introduced Peter Shanahan who is an Hydraulic Engineer from Acton who does work for the Water districts. He said that the garage is 600 feet east of the North Chelmsford drinking water wells located in the aquifer protection zone II. This puts the wells in a highly vulnerable position. He listed the concerns that the commissioners had with the fluids used in the garage and the effects they could have. He felt that it would be better to move the garage rather than risk the condemnation of the ground water. Mark Connors questioned if there was already a study taking place about this issue. Bruce Harper explained that there was, however the Commissioners felt that input was needed from people who knew the Town when looking for various locations. The Moderator asked for the Finance Committee's recommendation. The Finance Committee was against the article. The Board of Selectmen were against the article. Bruce Harper moved to amend the article. By adding "Such advisory committee to be made up of nine persons who shall be representatives of the North Chelmsford Water District, East Chelmsford Water District, Chelmsford Water District, Board of Health, Planning Board, Conservation Commission, Board of Selectmen, DPW and Conserve our Water" Dennis Ready questioned who would appoint the committee? Bruce Harper said according to the Charter it would be the Town Manager. The Moderator asked for a vote to amend by way of a show of hands, **motion defeated**. George Merrill spoke in favor of the article. Felt the Town needed to protect North Chelmsford's water supply. Billy Martin asked if this article was defeated would the Commissioners proceed with the committee? He didn't feel that this article needed Town Meeting's approval to be activated. If Commissioner's felt strongly about forming the Committee then they should still do so. John Emerson spoke against the article. He said that the Town was protecting not only North Chelmsford's water supply, but all the other districts supplies by funding the current sewer project. The Town Manager spoke against the article. He said that the Town has invested in a state of the art vehicle repair facility on the site. He too voiced the Town's continuing commitment to protecting the water supply by funding the sewer project. He asked that the Body defeat the article. Mark House spoke against the article. He felt it was only going to be a duplication in effort. Dennis Ready moved the question. The Moderator asked if there was any need for further debate. Hearing none, he asked for a show of hands on the motion to stop debate. The Moderator declared that the **Motion carried, by recognizing the 2/3's vote by-law**. He then asked for a show of hands on the article. **Motion defeated**.

UNDER ARTICLE 18. The Moderator explained that the motion for this article was unsigned and therefore no action could be taken. The article read as follows:



To see if the Town vote will to amend the Chelmsford Zoning Map as follows:

To rezone from the 1-A Limited Industrial District to the CC Shopping Center Commercial District that certain tract of land containing approximately thirty-two (32) acres located off of Westford Street and Steadman Street in Chelmsford, Massachusetts, commonly referred to as the Glenview property, shown as two parcels on Chelmsford Board of Assessors' Map 32, Block 110, Lot 1, and Chelmsford Board of Assessors' Map 33, Block 110, Lot 2.

UNDER ARTICLE 19. Dwight Hayward moved to waive the reading of the article. The Moderator asked for a vote by way of a show of hands. **Motion carried.** Robert Morse, Member of the Planning Board and Chairman of the Masterplan Committee explained the article. This is to address the issue of aging parents. It would provide another alternative to assisted living. The difference is this by-law will allow a separate kitchen and access through a separate entrance rather than having people just living in rooms. The living space can only be a maximum of 600 sq ft. It cannot become a rental unit. The current by-law doesn't allow in-law apartments. A lot of homes do have them, however, as long as there is no separate stove they do not technically violate the zoning laws. The homeowner/occupant must appear before the Board of Appeals and provide the required information for a hearing. The Board will make a decision. As long as the owner/occupant doesn't change, the permit is valid for three years. After that the Building Inspector can re-issue the permit every three years. Once the owner/occupant vacates the property the permit is discontinued and the kitchen must be removed. Other Towns have a similar by-law. Questions were asked from the Representatives concerning the difference between a parent vs a grandparent. Why not a son or daughter? Robert Morse explained that these type of questions would have to be decided by the BOA at a hearing. The intent is to help families and this is a start. The Finance Committee recommended the article. The Board of Selectmen recommended the article. Charles Wojtas, Chairman of the Planning Board gave the Board's recommendation. The Planning Board of the Town of Chelmsford held a public hearing on September 12, 2001 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on August 23 and 30, 2001. A copy of the advertisement was sent to all abutting municipalities and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. The public hearing for this article was continued to the meeting on September 26, 2001. The Planning Board found that the proposed zoning by-law amendment allowing accessory apartments could provide needed housing and found that the proposal is consistent with the Master Plan. The Planning Board voted 5-1 to recommend this article. The Moderator asked if there was any need for further debate. Hearing none, he asked for a show of hands on the motion. The Moderator declared that the **Motion carried, by recognizing the 2/3's vote by-law.** The article reads as follows:

Susan Carter of the Planning Board moved that the Town vote to amend the Zoning Bylaw, Chapter 195 of the Chelmsford Code, Article III, Use Regulations, by inserting a new Section 195-6.1 Limited Accessory Apartment, which reads:

~ 195-6.1. Limited accessory apartment.

A. Objectives.

- (1) To allow the provision of a limited accessory apartment within a single-family detached dwelling for the use of the owner/occupant's parent(s) or handicapped relative(s).

- (2) To assure that the single-family character of the neighborhood will be maintained.
- (3) To assure that the limited accessory apartment shall not be converted to a rental unit.

B. Applicability.

(1) A special permit may be granted by the Zoning Board of Appeals for the conversion of an existing or new single-family detached dwelling to accommodate a limited accessory apartment by the installation of a common wall or the partitioning of or extension of existing living space.

(2) Such limited accessory apartment shall, at the discretion of the Zoning Board of Appeals, accommodate up to a maximum of two persons, provided that the owner of record of the structure is a resident of the structure which includes the limited accessory apartment. Limited accessory apartments shall be allowed only if the resident(s) of the limited accessory apartment are parent(s) or a handicapped relative (s) of the owner of the premises. The limited accessory apartment shall not be converted to a rental unit.

C. Standards.

(1) Ingress, egress, access. Adequate provision, as determined by the Inspector of Buildings, shall be provided for separate ingress and egress to the outside of the limited accessory apartment. To the extent possible, exterior passageways and accessways shall not detract from the single-family appearance of the dwelling. Any new exterior entrance for the limited accessory apartment shall be located to the side or rear of the dwelling. An interior doorway shall be provided between the limited accessory apartment and the principal dwelling unit.

(2) Area limitation: Limited accessory apartments shall be limited to a maximum of 600 square feet of gross floor area, exclusive of stairwells.

(3) Parking and utilities: Provisions for off-street parking of residents and guests of both units shall be provided in such a fashion as is consistent with the character of the neighborhood, as determined by the Zoning Board of Appeals. The requirements of ~ 195-17 need not apply to the limited accessory apartment. Both the principal and accessory apartment shall be tied into town sewer, if available. The limited accessory apartment shall not have separate metered utilities, unless required by the State Building Code.

(4) Special permit. After the recording of the special permit at the Registry of Deeds, a building permit may be issued.

(5) Occupancy permit; control. No occupancy of the limited accessory apartment shall take place without an occupancy permit issued by the Inspector of Buildings. The initial occupancy permit shall remain in force for a period of three years from the date of issuance, provided ownership of the residence is not changed. Thereafter, permits may be issued by the Inspector of Buildings for succeeding three-year periods, provided that the structure and use continue to comply with the relevant provisions of the State Building Code, this chapter and the special permit. If the

relative of the owner vacates this property, the use of the limited accessory apartment shall be discontinued. Use of the limited accessory apartment shall cease upon conveyance of the property, and the kitchen shall be removed.

(6) Submittal. In addition to the normal submittal requirements of the Board of Appeals, for a limited accessory apartment the following shall be submitted:

- (a) Architectural plans for the entire structure, including building elevations and floor plans.
- (b) Site plan showing at a minimum the footprint of all structures, all building entrances and exits, parking, and screening from abutting uses.
- (c) The names of the owner and the person(s) proposed to reside in the limited accessory apartment.

; and by adding the following terms to Article XX, Terminology, Section 195-108, Word Usage and Definitions:

LIMITED ACCESSORY APARTMENT -- A dwelling unit contained within or being an extension of a single-family detached structure to accommodate a parent(s), or handicapped relative of the owner/occupant of the premises.

KITCHEN -- A place for the preparation of meals, having a stove and either or both a sink and a refrigerator.

Selectman Michael McCall moved that the Town Meeting continue beyond the traditional 11:00 PM closing in order to finish the remaining articles. The Moderator asked if there was any need for debate. Hearing none, he asked for a show of hands **motion carried**.

UNDER ARTICLE 20. Dwight Hayward moved to waive the reading of the article. **Motion carried.** Andrew Sheehan explained that any accessory building smaller than a one car garage is currently allowed within ten feet of the side yard. However, any building larger than a one car must meet the normal setback of twenty-five feet side and thirty feet rear yard. The Finance Committee recommended the article. The Board of Selectmen recommended the article. Charles Wojtas, Chairman of the Planning Board gave the Board's recommendation. The Planning Board of the Town of Chelmsford held a public hearing on September 12, 2001 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on August 23 and 30, 2001. A copy of the advertisement was sent to all abutting municipalities and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. The public hearing for this article was continued to the meeting on September 26, 2001. The Planning Board found that the proposed zoning by-law amendment would protect abutting property owners from intrusive accessory buildings and that the proposal is consistent with the Master Plan. The Planning Board voted 6-0 to recommend this article. Mark Connors moved to amend the article by adding "An accessory building smaller than 100 sq feet from any side or rear lot line." Andrew Sheehan said that the Master Plan Committee did discuss a three foot side yard but not in favor because of issues with potential side yard problems. The Moderator asked for a hand vote on the motion to amend. Motion defeated. The Moderator asked if there was any need for further debate. Hearing none, he asked for a show of hands on the article. The

Moderator declared that the **motion carried, by recognizing the 2/3's vote by-law**. The article reads as follows

Susan Carter of the Planning Board moved that the Town vote to amend the Zoning Bylaw, Chapter 195 of the Chelmsford Code, Article IV, Dimensional Regulations, by deleting the existing Section 195-11, Accessory Buildings, which reads:

S. 195-11. Accessory buildings. [Amended 10-21-1999 ATM by Art. 29]

No accessory building or structure, except a permitted sign or roadside stand, shall be located within a required front yard area. A detached accessory building may be located in the rear yard areas and on the same lot as a principal building, provided that not more than 25% of the required yard area shall be so occupied, and further provided that an accessory building or swimming pool shall not be located nearer than 10 feet from the principal building and at least 10 feet from any side or rear lot line. An accessory building attached to its principal building or within 10 feet of it shall be considered an integral part thereof and as such shall be subject to the front, side and rear yard requirements applicable to the principal building.

; and inserting the following new Section 195-11. Language to be deleted is underlined and language to be added is **bolded**. The section will read:

S. 195-11. Accessory buildings.

No accessory building or structure, except a permitted sign or roadside stand, shall be located within a required front yard area. Detached accessory buildings may be located in the rear **or side** yard areas and on the same lot as a principal building, provided that not more than 25% of the required yard area shall be so occupied, and further provided that a an accessory building or swimming pool shall not be located nearer than 10 feet from the principal building and **shall be** at least 10 feet from any side or rear lot line. An accessory building attached to its principal building or within 10 feet of it shall be considered an integral part thereof and as such shall be subject to the front, side and rear yard requirements applicable to the principal building. **An accessory building smaller than 260 square feet shall not be located closer than 10 feet to any side or rear lot line. An accessory building larger than 260 square feet shall be subject to the front, side and rear yard requirements applicable to the principal building.**

UNDER ARTICLE 21 Susan Carter of the Planning Board moved that the Town vote to amend the Zoning Bylaw, Chapter 195 of the Chelmsford Code, Article XIV, Aquifer Protection District, Section 195-71, Establishment and Delineation of District, by amending the Aquifer Protection District Map. The amendment will correct a drafting error in the vicinity of Black Brook, north of Route 3 and west of Stedman Street, as shown on the attached map.

Andrew Sheehan Community Developer explained that this article was to correct a drafting error. There will be no effect on the surrounding properties. Marion Paresky wanted to know the difference between aquifer and non aquifer district. The Finance Committee did not have any recommendation to the article. The Board of Selectmen recommended the article. Charles Wojtas, Chairman of the Planning Board gave the Board's recommendation. The Planning Board of the Town of Chelmsford held a public hearing on September 12, 2001 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on August 23 and 30, 2001. A copy of the



advertisement was sent to all abutting municipalities and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. The public hearing for this article was continued to the meeting on September 26, 2001. The Planning Board found that the proposed zoning by-law amendment would correct a drafting error on the current map without threatening the protection of drinking water supplies and that the proposal is consistent with the Master Plan. The Planning Board voted 6-0 to recommend this article. The Moderator asked for a show of hands on the article. **Motion carried, unanimously.**

UNDER ARTICLE 22. Dwight Hayward moved to waive the reading of the article. **Motion carried, unanimously.** Andrew Sheehan explained that the present by-law had been adopted in 1996 and it was ahead of its time. Since 1997 changes have been made at the federal level regarding wireless communication. This new by-law incorporates any new guidelines in order to be consistent with the federal law. He asked that the Body support the article. The Finance Committee had no recommendation of the article. The Board of Selectmen recommended the article. Charles Wojtas, Chairman of the Planning Board gave the Board's recommendation. The Planning Board of the Town of Chelmsford held a public hearing on September 12, 2001 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on August 23 and 30, 2001. A copy of the advertisement was sent to all abutting municipalities and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. The public hearing for this article was continued to the meeting on September 26, 2001. The Planning Board found that the proposal is consistent with the zoning by-law amendment would improve the provision and regulation of wireless communications facilities while protecting the character of the Town and found that the proposal is consistent with the Master Plan. The Planning Board voted 4-2 to recommend this article. Peggy Dunn questioned if there was any limitation regarding the distance between the structure and schools, or daycares. No there is no restrictions mentioned. The Moderator asked for a show of hands on the article. He declared that the **motion carried, by recognizing the 2/3's vote by-law.** The article reads as follows:

Susan Carter of the Planning Board, moved that the Town vote to amend the Zoning Bylaw, Chapter 195 of the Chelmsford Code, Article XIII, Wireless Communications Facilities, by deleting the existing Article XIII which reads:

ARTICLE XIII **Wireless Communications Facilities**

S. 195-64. Purpose.

The purpose of these regulations includes: to establish siting criteria and standards for communication towers and facilities; to minimize the adverse visual impacts of wireless communications facilities, satellite dishes and antennas on adjacent properties and residential neighborhoods; to minimize the overall number and height of such facilities to only what is essential; and to promote shared use of existing facilities to reduce the need for new facilities. This article is intended to establish reasonable regulations while allowing adequate service to residents, the traveling public and others within the town and to accommodate the need for the minimum number of such facilities within the town. This article shall not apply to satellite dishes and antennas for residential use which are regulated under ~ 195-14.

S. 195-65. Special permit required; general standards.

No wireless communications facility shall be erected or installed except in compliance with the provisions of this chapter. In all cases, a special permit is required from the Board of Appeals. Any

proposed extension in the height, addition of cells, antennas or panels or construction of a new or replacement facility shall be subject to a new application for a special permit. Attachment of cells, antennas or panels to existing suitable structures shall be subject to application for a special permit.

- A. Only freestanding monopoles, with associated antennas and/or panels, may be allowed. Lattice-style towers and similar facilities requiring three or more legs and/or guy wires for support are not allowed. For the purposes of this section, "monopole" shall mean a pole consisting of not more than one leg, anchored in the ground, which is not supported by guy wires or other bracing. Monopoles shall be set back from the property line a distance at least equal to the height of the monopoles.
- B. Erection of new monopoles may be allowed by special permit in any commercial district, industrial district or public district.
- C. New structures shall be located within 500 feet of a limited access highway as defined by state and federal standards.
- E. No new monopoles shall be erected within 500 feet of an existing residential structure or within two miles of another existing or approved monopole.
- F. Structures shall be removed within one year of cessation of use. If applicable, proof of continued compliance with the standards of the Federal Communications Commission (FCC), Federal Aviation Administration (FAA), the American National Standards Institute (ANSI) and the State Building Code and required maintenance shall be filed with the Inspector of Buildings by the special permit holder on an annual basis or as deemed necessary by the Inspector of Buildings.
- G. Not more than one monopole shall be located on a lot.

S. 195-66. Application procedure.

All applications for special permits for wireless communications facilities, antennas or satellite dishes shall be made and filed in compliance with the rules and regulations of the Chelmsford Board of Appeals. In addition to the minimum requirements of the Board of Appeals, applicants under this article shall include the following:

- A. A locus plan which shall show all property lines, the exact location of the proposed structure(s), streets, landscape features, residential dwellings and all buildings within 500 feet of the facility.
- B. A color photograph or rendition of the proposed monopole with its antenna and/or panels. For satellite dishes or antennas, a color photograph or rendition illustrating the dish at the proposed location is required. A rendition shall also be prepared illustrating a view of the monopole, dish or antenna from the nearest street or streets.
- C. The following information prepared by one or more professional engineers:
 1. A description of the monopole and the technical, economic and other reasons for the proposed location, height and design.
 2. Confirmation that the monopole complies with all applicable federal and state standards.
 3. A description of the capacity of the monopole, including the number and type of panels, antennas and/or transmitter receivers that it can accommodate and the basis for these calculations.
 4. If applicable, a written statement that the proposed facility complies with or is exempt from applicable regulations administered by the Federal Aviation Administration (FAA), Federal Communications Commission (FCC), Massachusetts Aeronautics Commission and the Massachusetts Department of Public Health.

S. 195-67. Design requirements.

Wireless communications facilities shall conform to the following requirements:

- A. All monopoles shall be designed to be constructed at the minimum height necessary to accommodate the anticipated and future use. The setback of a monopole from the property line of the lot on which it is located shall be at least equal to the height of the monopole.
- B. No monopole or attached accessory antenna on a monopole shall exceed 120 feet in height as measured from ground level at the base of the pole. No monopole shall be constructed which requires guy wires. Monopoles shall not be located on buildings.
- C. Antennas or dishes located on nonresidential buildings shall not exceed 10 feet in height above the roofline of the structure. Satellite dishes and/or antennas shall be situated on or attached to a structure in such a manner that they are screened, preferably not being visible from abutting streets.
- D. All wireless communications facilities shall be sited in such a manner that the view of the facility from adjacent abutters, residential neighbors and other areas of town shall be as limited as possible. No monopole shall be visible from any location within the Historic District. All monopoles and dishes shall be painted or otherwise colored so that they blend in with the landscape or the structure on which they are located, and existing on-site vegetation shall be preserved to the maximum extent possible.
- E. There shall be a minimum of one parking space for each facility, to be used in connection with the maintenance of the site and not to be used for the permanent storage of vehicles or other equipment. Traffic associated with any wireless communications facility shall not adversely affect abutting ways.
- F. Wireless communications facilities shall be designed to accommodate the maximum number of users technologically practical so as to reduce the number of facilities which will be required to be located within the community.
- G. Fencing shall be provided to control access to wireless communications facilities and shall be compatible with the character of the town and shall not be of razor wire. The fence shall be surrounded by a screen of plantings of sufficient density and height so as to shield the fence from view.
- H. There shall be no signs, except for announcement signs, no trespassing signs and a required sign giving a phone number where the owner can be reached on a twenty-four-hour basis. All signs shall conform to Article VII, Signs and Outdoor Lighting.
- I. Night lighting of towers shall be prohibited unless required by the Federal Aviation Administration (FAA). Lighting shall be limited to that needed for emergencies and/or as required by the FAA.

S. 195-68. Review procedure.

Applications for special permits may be approved where the Board of Appeals determines compliance with the requirements set forth herein. When considering an application for a wireless communications facility, the Board of Appeals shall place great emphasis on the proximity of the facility to residential neighborhoods and its impact on these residences. New facilities shall only be considered after a finding that existing (or previously approved) facilities cannot accommodate the proposed use(s). When considering an application for an antenna or dish proposed to be placed on a structure, the Board shall place great emphasis on the visual impact of the unit on the abutting neighborhoods and street(s); and inserting the following:

ARTICLE XIII

Wireless Communications Facilities

S. 195-64. Purpose.

The purpose of these regulations is to establish siting criteria and standards for wireless communication facilities (WCF's); to minimize the adverse visual impacts of WCF's on nearby properties and residential neighborhoods; to encourage the location of WCF's in nonresidential neighborhoods; to

minimize the overall number and height of monopoles to only what is essential; and to promote collocation of WCF's to reduce the need for additional monopoles. This article is intended to establish reasonable regulations while allowing adequate service to residents, the traveling public and others within the town, and to minimize the number of monopoles within the town. Preference shall be given to Wireless Communications Facilities that are located in non-residential zoning districts. This article shall not apply to transmission facilities necessary for public safety, satellite dishes, ham radio antennas, or antennas for residential use which are regulated under S. 195-14.

S. 195-65. Definitions.

For the purposes of this article, the following terms shall have the following meanings:

COLLOCATION -- The use of a single mount by more than one carrier and/or several mounts on a tower, monopole, building, or structure by multiple carriers for the purpose of providing wireless communications services. Each service on collocations is a separate wireless communications facility.

MONOPOLE -- A pole consisting of not more than one leg, anchored in the ground, which is not supported by guy wires or other bracing.

WIRELESS COMMUNICATIONS FACILITY (WCF) – A facility for the provision of wireless communications service, including but not limited to towers, monopoles, antennas, antennas attached to existing structures and associated accessory structures, if any, which facilitate the provision of wireless communications service.

WIRELESS COMMUNICATIONS SERVICES -- The provision of the following types of services: cellular telephone, personal communications and enhanced specialized mobile radio service as described in the Telecommunications Act of 1996.

S. 195-66. By-right uses; general standards.

Wireless communications facilities that meet the following standards shall be eligible for a building permit by right.

A. The wireless communications facility will be attached to an existing building or structure and:

- (1) Will not extend more than 20 feet above the uppermost part of the structure; or
- (2) Will be attached to a lawfully existing monopole or lattice tower, where such existing monopole or lattice tower is not extended in height; or
- (3) Will be attached to a lawfully existing expandable monopole approved by the Board of Appeals, where such expansion is not higher than that approved by the Board of Appeals.

B. The wireless communications facility will be located in one of the following zoning districts: CA, CB, CC, CD, IA, IS, or P.

C. Wireless communications facilities will be at least 500 feet from a residential structure. This measurement shall be from the face of the wireless communications facility to the closest point of the residential structure.

D. Wireless communications facilities shall be removed within one year of cessation of use. If applicable, proof of required maintenance and continued compliance with the standards of the Federal Communications Commission (FCC), Federal Aviation Administration (FAA), the American National Standards Institute (ANSI), and the State Building Code shall be filed with the Inspector of Buildings by the permit holder on an annual basis or as deemed necessary by the Inspector of Buildings.

S. 195-67. Special permit uses; general standards.

Wireless communications facilities that are proposed to be located on new monopoles or which do not otherwise comply with the standards of ~ 195-66 shall be subject to a special permit issued by the Board of Appeals. The following standards shall apply:

A. Only freestanding monopoles, with associated antennas and/or panels, shall be allowed. Lattice-style towers and similar facilities requiring three or more legs and/or guy wires for support are not allowed.

B. Monopoles shall be set back from the property line 50 feet or a distance equal to one and one-half times the height of the largest section of the monopole, whichever is greater. The Board of Appeals may allow a reduced setback if it specifically finds that safety of abutting property owners will be maintained.

C. Erection of new monopoles may be allowed by special permit in any zoning district. WCF's shall only be allowed in a residential zoning district if the Board of Appeals specifically finds that the impact on residential uses will be minimal.

D. No new monopoles shall be erected within 500 feet of an existing residential structure. This measurement shall be from the base of the monopole to the closest point of the residential structure.

E. Monopoles shall not normally exceed 120 feet in height as measured from ground level at the base of the pole. The Board of Appeals may allow a monopole in excess of 150 feet but not higher than 180 feet if it specifically finds that the benefits of a taller monopole outweigh the deficits and if it specifically finds that a taller monopole supports greater collocation.

F. In no case shall a monopole be located on a building.

G. No monopole shall be visible from any location within the Historic District.

H. Night-lighting of monopoles shall be prohibited unless required by the Federal Aviation Administration (FAA). Lighting shall be limited to that needed for emergencies and/or as required by the FAA.

I. Monopoles shall be designed and located to accommodate the maximum number of users technologically practicable in order to reduce the number of monopoles in the community.

J. All wireless communications facilities shall be sited in such a manner that the view of the facility from adjacent abutters, residential neighbors, and other areas of town shall be as limited as possible.

K. Fencing shall be provided to control access to monopoles and other WCF's. The fence shall be screened as required by the Board of Appeals.

L. There shall be no signs, except for announcement signs, no trespassing signs, and a required sign giving a phone number where the owner can be reached on a twenty-four-hour basis. All signs shall conform to Article VII, Signs and Outdoor Lighting.

M. WCF's shall be removed within one year of cessation of use. If applicable, proof of required maintenance and continued compliance with the standards of the Federal Communications Commission (FCC), Federal Aviation Administration (FAA), the American National Standards Institute (ANSI), and the State Building Code shall be filed with the Inspector of Buildings by the special permit holder on an annual basis or as deemed necessary by the Inspector of Buildings.

S. 195-68. Application procedures.

All special permit applications for WCF's shall be made and filed in compliance with the rules and regulations of the Board of Appeals. In addition to the minimum requirements of the Board of Appeals, applications under this article shall include the following:

A. A locus plan showing all property lines, the exact location of the proposed WCF, all structures on the lot, abutting streets, landscape features, and all structures within 500 feet as measured from the property line of the lot where the WCF is proposed.

B. A color photograph or rendering of the proposed WCF. For WCF's attached to existing structures, a color photograph or rendition illustrating the WCF at the proposed location is required. A rendering shall also be provided illustrating a view of the WCF from the nearest street or streets.

C. The following information prepared by one or more professional engineers:

(1) A description of the WCF and the technical, economic, and other reasons for the proposed location, height, and design.

(2) Confirmation that the WCF complies with all applicable federal and state standards.

(3) A description of the capacity of the monopole, including the number and type of WCF's that it can accommodate and the basis for these calculations.

(4) If applicable, a written statement that the proposed facility complies with or is exempt from applicable regulations administered by the Federal Aviation Administration (FAA), Federal Communications Commission (FCC), Massachusetts Aeronautics Commission, and the Massachusetts Department of Public Health.

- D. Coverage maps showing existing coverages and coverages with the proposed WCF.
- E. Visibility maps showing all locations where the WCF will be visible.
- F. The Board of Appeals may require balloon, crane, or other tests at the proposed WCF in order to determine visual and aesthetic impacts.
- G. The Board may require additional information in order to determine visual and aesthetic impacts and the Board may require that wireless communications facilities be camouflaged in order to minimize visual intrusion.

;and amend the Use Regulation Schedule, category C. 26, Wireless Communications Facilities, as follows:

Existing:

Principal Use	RA	RB	RC	RM	CA	CB	CC	CD	CV	IA	IS	RMH	CX	P	OS	
26. Wireless Communications Facility	N	N	N	N	BA	N	N	BA	N							

Proposed:

Principal Use	RA	RB	RC	RM	CA	CB	CC	CD	CV	IA	IS	RMH	CX	P	OS
26. Wireless Communications Facility	BA ¹³	BA ¹³	BA ¹³	BA ¹³	Y ¹³	Y ¹³	Y ¹³	Y ¹³	BA ¹³	Y ¹³	Y ¹³	BA ¹³	BA ¹³	Y ¹³	BA ¹³

13 Subject to the requirements of Article XIII

Seeing that there was no further business at hand, the Moderator declared the meeting adjourned. The meeting adjourned at 11:35 PM.

Dennis E. McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

**WARRANT FOR ANNUAL
TOWN ELECTION APRIL 2, 2002**

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in their several polling places, VIZ:

- Precinct 1. Town Offices Gymnasium
- Precinct 2. Harrington Elementary School Gymnasium
- Precinct 3. Harrington Elementary School Gymnasium
- Precinct 4. Westlands School Cafetorium
- Precinct 5. Byam School Cafetorium
- Precinct 6. Westlands School Cafetorium
- Precinct 7. McCarthy Middle School, Small Gymnasium
- Precinct 8. McCarthy Middle School, Small Gymnasium
- Precinct 9. Town Offices Gymnasium

On Tuesday, the 2nd day of April, 2002 being the first Tuesday in said month at 7:00 a.m. until 8:00 p.m. for the following purposes:

To bring in their votes for the following officers:

- One Town Moderator for three years;
- One Selectman for three years;
- Two School Committee Members for three years;
- Three Library Trustees for three years;
- One Board of Health Member for three years;
- Two Planning Board Members for three years;

Two Sewer Commissioners for three years;
One Housing Authority Member for five years;
One Cemetery Commissioner for three years;

and

To bring in their votes for the election of one hundred and twenty six Town Meeting Members, Eighteen Representatives in Precincts 1,2,3,5,7,8,9, for terms based on election results as stated in the charter as follows:

The first third in order of votes received shall serve for three years; the second third of such order shall serve for two years and the remaining third in such order shall serve for one year from the date of the annual town election.

And Twelve Representative Town Meeting Members, six Representatives in Precincts 4 and 6 for three year terms.

; and to meet in the Senior Center, 75 Groton Road, North Chelmsford, on Monday, the twenty-ninth day of April, at 7:30 p.m. in the evening, then and there to act upon the following articles, VIZ:

Article 1. To hear reports of the Town Officers and Committees; or act in relation thereto.

Board of Selectmen

Article 2. To see if the Town will vote to transfer a certain sum of money from Conservation fees under Wetlands Special Reserve Fund to reduce the Conservation Commission Budget Fiscal Year 2003; or act in relation thereto.

Town Manager
Conservation Commission

Article 3. To see if the Town will vote to transfer a certain sum of money from Sewer Betterments, Special Revenue, to reduce the exempt portion of debt and interest in the Fiscal Year 2003 Budget; or act in relation thereto.

Town Manager
Sewer Commission

Article 4. To see if the Town will vote to transfer from Sewer Rate Relief Funds, Special Revenue, a certain sum of money to reduce the exempt portion of debt and interest in the Fiscal Year 2003 Budget and a certain sum of money to acquire the following sewer equipment otherwise funded by sewer user fees:

; or act in relation thereto.

Town Manager
Sewer Commission

Article 5. To see if the Town will vote to transfer from the Stabilization Fund \$1,550,000 to be used to offset that portion of debt and interest in the Fiscal Year 2003 Budget; or act in relation thereto.

Town Manager

Article 6. To see if the Town will vote to raise and appropriate, or transfer from available funds a certain sum of money to be used to fund certain one-time costs associated with the retirement of employees of the Town working in the School Department for the Fiscal Year 2003; or act in relation thereto.

Town Manager

Article 7. To see if the Town will vote to raise and appropriate, or transfer from available funds a certain sum of money to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws Chapter 40, Section 6; or act in relation thereto.

Town Manager
Finance Committee

Article 8. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money with which to meet bills from previous years; or act in relation thereto.

Town Manager

Article 9. To see if the Town will vote to transfer a certain sum of money from the sale of the Graves and Lots to the Cemetery Improvement and Development Fund; or act in relation thereto.

Cemetery Commission



Article 10. To see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, a certain sum of money to engage a private accounting firm to prepare an audit of all accounts in all departments in the Town of Chelmsford; or act in relation thereto.

Town Manager

Article 11. To see if the Town will vote to raise and appropriate or transfer from available funds, a certain sum of money for the purpose of funding the sand purchase approved by the Town under Article 4 of the 1998 Special Town Meeting held on April 27, 1998; or act in relation thereto.

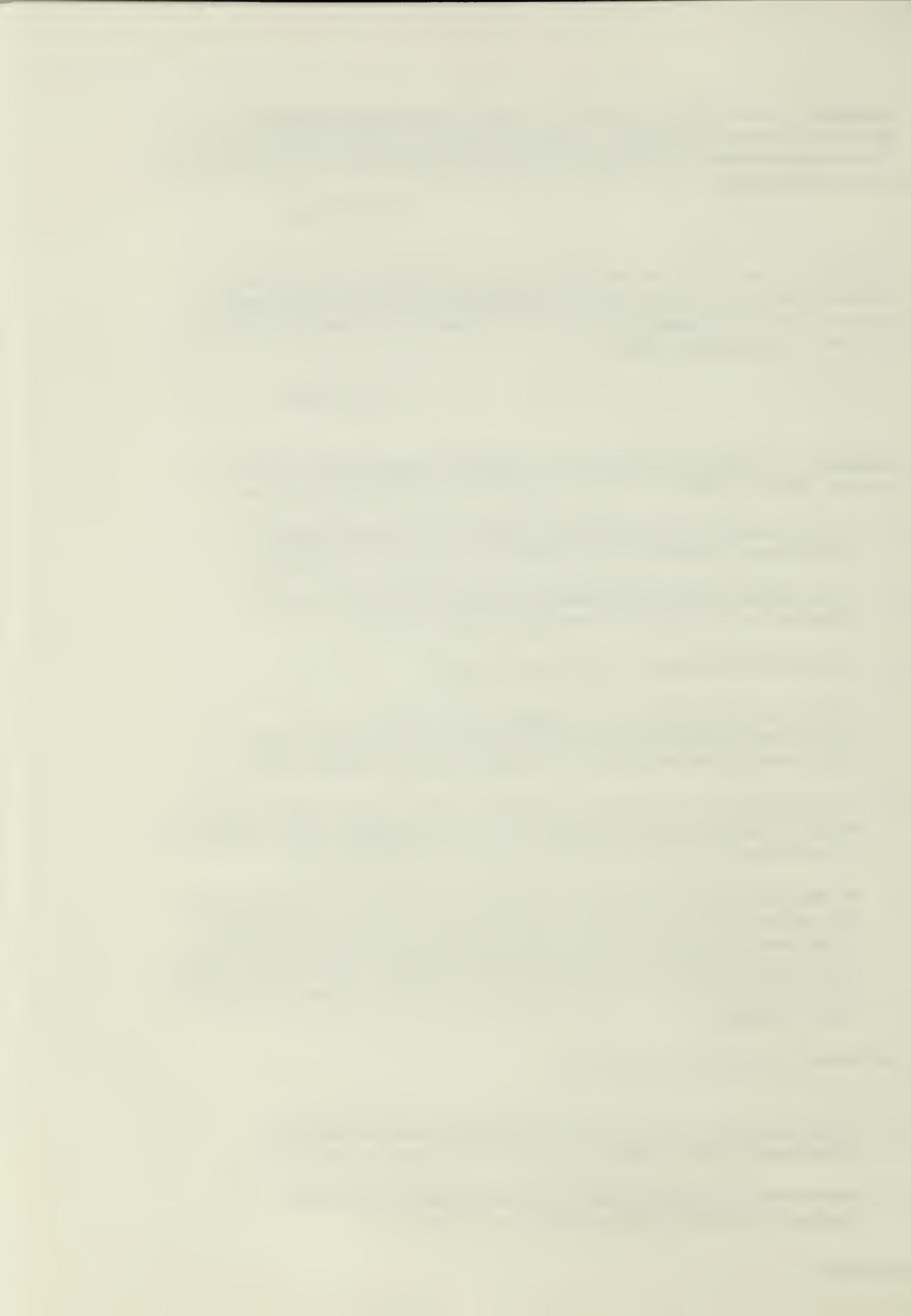
Town Manager

Article 12. To see if the Town will vote to amend the General Bylaws Chapter 11, Animals, Article I, Section 11.5 License Fees, by deleting the following section:

- A. The fee for every dog license shall be \$10 for every neutered male dog, \$10 for every spayed female dog and \$10 for every male and female dog.
- B. Determination of licensing eligibility, dogs not required to be licensed or refunding license fees shall be determined as set out in S. 139.
- C. The fee for every kennel license shall be as follows:
 - (1) For every kennel license for four dogs or fewer: \$40.
 - (2) For every kennel license for over four dogs but not over 10 dogs: \$80.
 - (3) For every kennel license for over 10 dogs but not over 25 dogs: \$150.
- D. All fees shall be increased by \$5 on the first day of the second month following the required licensing period, as outlined in S. 11-3A of this article, and by an additional \$5 on the first day of each succeeding month up to June 30 each year.
- E. In addition to all other sums due and owing for any license fee hereunder, a person who applies for a license hereunder shall be obligated to pay all prior amounts of license fees determined to be due and owing by the Town Clerk pursuant to this article for past periods in which said person was obligated to obtain license. It shall be a violation of this article to fail to pay any said sum due hereunder. This remedy shall be cumulative.

And replacing with the following section:

- A. The fee for every dog license shall be **\$15 for every neutered male dog, \$15 for every spayed female dog and \$15 for every male and female dog.**
- B. Determination of licensing eligibility, dogs not required to be licensed or refunding license fees shall be determined as set out in S. 139.



C. The fee for every kennel license shall be as follows:

- (1) For every kennel license for four dogs or fewer: \$50.
- (2) For every kennel license for over four dogs but not over 10 dogs: \$100.
- (3) For every kennel license for over 10 dogs but not over 25 dogs: \$200.

D. All fees shall be increased by \$5 on the first day of the second month following the required licensing period, as outlined in S. 11-3A of this article, and by an additional \$5 on the first day of each succeeding month up to June 30 each year.

E. In addition to all other sums due and owing for any license fee hereunder, a person who applies for a license hereunder shall be obligated to pay all prior amounts of license fees determined to be due and owing by the Town Clerk pursuant to this article for past periods in which said person was obligated to obtain license. It shall be a violation of this article to fail to pay any said sum due hereunder. This remedy shall be cumulative.

Town Manager

Article 13. To see if the Town will vote to amend the General Bylaws Chapter 142, Streets and Sidewalks, Article II Street Openings, Section 142-13 Application fee, by deleting the following section:

All applications for any permit shall be accompanied by a certified check payable to the Town of Chelmsford in the amount of \$3 per linear foot, with a minimum fee of \$25. If work is to be done on more than one way or street, a separate legally and duly issued permit must be obtained for each way or street. Permits required under S. 142-12 and the first renewal of any legally and duly issued permit are not subject to the application fee as provided for in this section. Failure of work to commence within one month of the date of issuance automatically voids the permit and will result in for forfeiture of 10% of the application fee to the Town of Chelmsford.

And replacing with the following section:

All applications for any permit shall be accompanied by a certified check payable to the Town of Chelmsford in the amount of **\$5 per linear foot**, with a minimum fee of \$25. If work is to be done on more than one way or street, a separate legally and duly issued permit must be obtained for each way or street. Permits required under S. 142-12 and the first renewal of any legally and duly issued permit are not subject to the application fee as provided for in this section. Failure of work to commence within one month of the date of issuance automatically voids the permit and will result in for forfeiture of 10% of the application fee to the Town of Chelmsford.

Town Manager

Article 14. To see if the Town will vote accept an Act of the Legislature providing an Early Retirement Incentive for Municipal Employees; or act in relation thereto.

Board of Selectmen

Article 15. To see if the Town will vote to raise and appropriate, or transfer from available funds, such sums of money as may be required to defray Town charges for the fiscal period July 1, 2002 to June 30, 2003; or act in relation thereto.

Town Manager

Article 16. To see if the Town will vote to appropriate a certain sum of money for the following capital projects:

Function	Department /Location	Project	Expenditure
Municipal Administration	<u>Planning & Dev.</u>	Geographic Information System (GIS Phase 1)	\$65,000
	<i>Municipal Administration Subtotal</i>		\$65,000
Public Safety	<u>Police</u>	Cruiser Replacement	\$147,000
	<u>Fire</u>	Refurbish Engine 1 Center, N. & S. Station Boiler Replacements	\$26,000 \$78,000
<i>Public Safety Subtotal</i>			\$251,000
Public Works	<u>DPW</u>	Drainage Improvements	\$100,000
		Road Maintenance	\$200,000
		Town Offices Roof	\$25,000
		Town Offices Ext. Rehab	\$80,000
		Cabs on Two Sanders	\$50,000
<i>Public Works Subtotal</i>			\$455,000
Public Education	<u>Chelmsford High</u>	Track Resurfacing	\$125,000
	<u>Byam Elementary</u>		
	<u>Harrington Elementary</u>	Boiler Upgrades to the Three Elementary Schools	\$600,000
	<u>Westlands Elementary</u>		
	<u>South Row Elementary</u>	Window Replacement	\$285,000
	<u>Technology</u>	Administrative Technology	\$60,000
		Computer Network	\$110,000
		Classroom Computers	\$200,000
<u>Maintenance</u>		Mower Replacement	\$65,000
		Two Pick-up Trucks	\$55,000
<i>School Department Subtotal</i>			\$1,500,000
CAPITAL PROJECTS TOTAL			\$2,271,000

and to see if the Town will vote to raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the stabilization fund, and/or borrow a certain sum of money to fund these obligations; or act in relation thereto.

Board of Selectmen
Town Manager
Capital Planning Committee

Article 17. To see if the Town will vote to accept the following mentioned streets, as laid out by the Board of Selectmen and shown by their reports duly filed in the office of the Town Clerk:

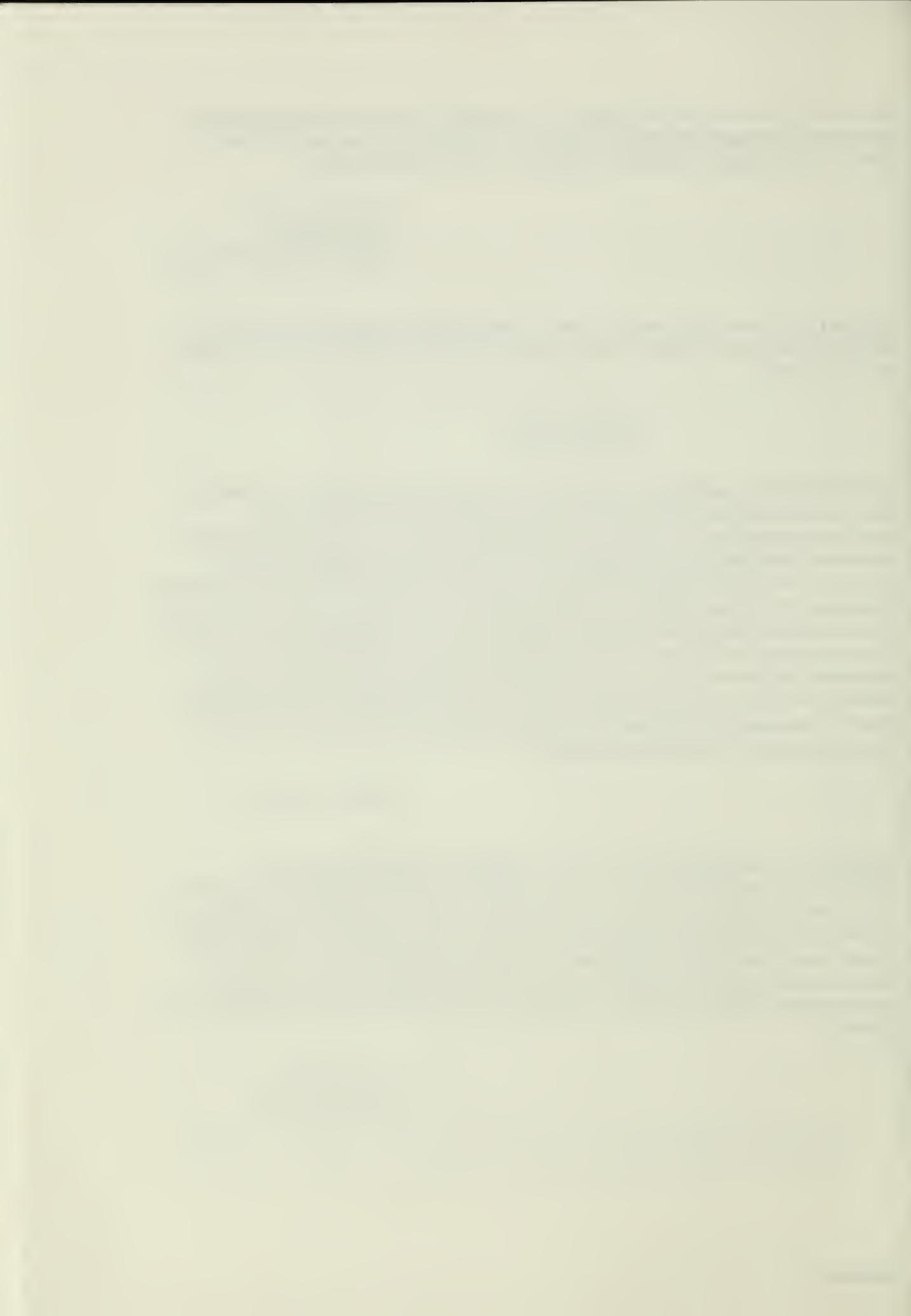
Arthur Avenue
Arrowhead Circle

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; and to see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, with trees thereon, by purchase, eminent domain, or otherwise, for the purpose of securing traffic safety and road improvements, and to see if the Town will vote to raise and appropriate, transfer and appropriate from the Stabilization Fund, and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; and to see if the Town will vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto; or act in relation thereto.

Board of Selectmen

Article 18. To see if the Town will vote to authorize a revolving fund under Massachusetts General Laws C. 44, S. 53E ½ for the Council on Aging for Fiscal Year 2003. The receipts to be credited to the fund shall be from the collection of fees from the implementation of a Senior Trip program. The Council on Aging shall be authorized to spend money from the fund for the purpose of providing transportation necessary for implementing a Senior Trip program. Expenditures from the Senior Trip program revolving fund shall be limited to a certain sum during Fiscal Year 2003; or act in relation thereto.

Town Manager
Council on Aging



Article 19. To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain, or otherwise, for open space purposes under the Community Preservation Program the property located at 19 Maple Road in the Town of Chelmsford, Massachusetts shown as Assessors Map 116, Block 393, Lot 2, containing 13.9 acres more or less, and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 3811, Page 227, said land to be held, managed, and controlled by the Conservation Commission under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, as amended; and vote to raise and appropriate, transfer from available funds, transfer from the Community Preservation Act Fund, or borrow a sum of money pursuant to G.L. c.44B or any other general or special law for said acquisition, and to authorize the treasurer with the approval of the Board of Selectmen to issue any bonds or notes that may be necessary for that purpose; and vote to convey concurrently at the closing and in perpetuity a conservation restriction pursuant to Massachusetts General Laws Chapter 184, Sections 31-33 to the Commonwealth of Massachusetts, Executive Office of Environmental Affairs, Department of Environmental Management; and vote to accept from the Commonwealth of Massachusetts, Executive Office of Transportation, Massachusetts Highway Department a grant of funds known as the Route 3 North Land Conservation Grant Program to pay for all or part of the acquisition and associated costs; or take any other action relative thereto.

Community Development Department

Article 20. To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2003 Community Preservation budget and to appropriate from the Community Preservation Fund a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2003; and further to reserve for future appropriation the following amounts as recommended by the Community Preservation Committee: a sum of money for the acquisition, creation and preservation of open space excluding land for recreational use, a sum of money for acquisition and preservation of historic resources, and a sum of money for the creation, preservation and support of community housing, or take any other action relative thereto.

Board of Selectmen

Article 21. To see if the Town will vote to amend Section 195-3 of the Chelmsford Zoning By-Law, by rezoning from a CA Zone to a CD Zone, the land known as 245 Chelmsford Street, shown on Assessors Map 52 as Parcels 203-8, containing 19,500 square feet of land, more or less; situated on the southerly side of Chelmsford Street, and being shown as Lots 5 and 6 on a plan of land recorded with Middlesex North District Registry of Deeds at Book of Plans 39, Page 58; or act in relation thereto.

Petition

Article 22. To see if the Town will vote to amend Section 195-5 of the Chelmsford Zoning By-Law to include a new line under Commercial uses which shall permit “Bakery not including on-premises retail sales” in a CB Zoning District; or act in relation thereto.

Principal Use	District															
	RA	RB	RC	RM	CA	CB	CC	CD	CV	LA	IS	RMH	CX	P	OS	
29. Bakery not including on-premises retail sales	N	N	N	N	N	Y	N	N	N	N	N	N	N	N	N	N

Petition

Article 23. To see if the Town will vote pursuant to Massachusetts General Laws, Chapter 82, Section 21, that public conveyance and necessity require that a portion of the accepted way known as Scotty Hollow Drive as hereinafter described shall be discontinued and all public rights in any and all such portions of said streets, and/or town ways relative to said street shall be henceforth discontinued and abandoned; said street is more particularly described as follows: That portion of Scotty Hollow Drive on a plan entitled “Proposed Discontinuance Parcel ‘A’, Town Meeting, 2002, on file in the Town Engineer’s Office, and to transfer the care, custody, management, and control of such parcel of land to the Board of Selectmen to be held for the purpose of conveyance, and authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any, held by the Town in the above parcel of land located on the discontinued portion of said way/road, provided that said discontinuance shall not take effect until the Board of Selectmen has conveyed all rights, title and interest in said parcel, and the Town has entered into an indemnification agreement as required by chapter 82, section 24 of the general laws; or act in relation thereto.

Town Manager

Article 24. To see if the Town will vote to transfer \$22,235.75 from the Insurance Account to the Police Department Budget; or act in relation thereto.

Town Manager

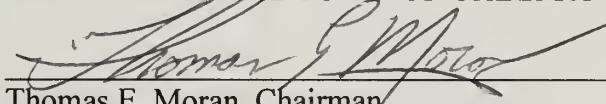
Article 25. To see if the Town will vote to accept the provisions of Mass. Gen. Law Chapter 40, S. 22F which will authorize any board or officer of the Town that is empowered to issue a license, permit, certificate or to render services or perform work to establish reasonable fees for the same, or to take any other action relative thereto.

School Department

Hereof fail not and make return of this warrant with your doings at the time and place of said meeting.

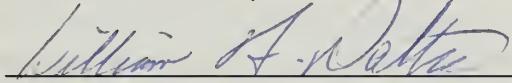
Given under our hands this 21 th day of March, 2002.

BOARD OF SELECTMEN OF THE TOWN OF CHELMSFORD



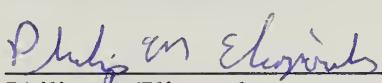
Thomas E. Moran, Chairman

Michael F. McCall, Vice Chairman



William F. Dalton, Clerk

Stuart G. Weisfeldt



Philip M. Eliopoulos

NOTICE OF PROPOSED DATES
AND TIMES FOR CONTINUED SESSIONS OF THE
TOWN MEETING

The Board of Selectmen shall propose the following dates and times for continued sessions of the Town Meeting of April 29, 2002.

Thursday, May 2, 2002 at 7:30 p.m.

Monday, May 6, 2002 at 7:30 p.m.

Thursday, May 9, 2002 at 7:30 p.m.

If additional continued sessions are necessary they shall take place on the Monday and Thursday of the next consecutive week until the meetings are concluded.

Pursuant to Town of Chelmsford Code Chapter 154-9, these dates and times are proposed and are subject to change by vote of the Town Meeting Representatives.

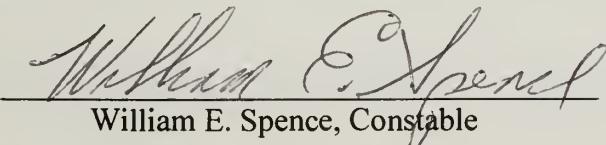
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

March 22, 2002

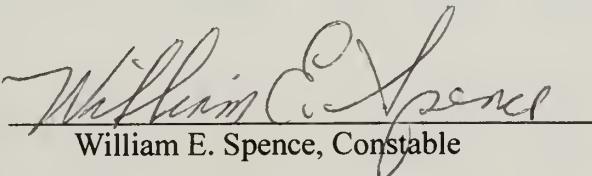
Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Town Office Gymnasium, Harrington School Gymnasium, Harrington School Gymnasium, Westlands School Cafetorium, Byam School Cafetorium, Westlands School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, Town Office Gymnasium and Town Office Building Lobby.

Signed:



William E. Spence

A True Copy Attest:



William E. Spence

TOWN ELECTION APRIL 2, 2002

*Candidate for Re-election		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
MODERATOR 3 Year Term (1)											
Blanks		106	46	82	36	82	76	103	97	107	735
Dennis E. McHugh*		390	213	341	246	267	384	377	418	350	2986
Write-In		0	1	1	0	1	1	1	2	2	8
Misc		2	1	2	0	1	0	0	2	0	9
	TOTAL	498	261	426	282	351	462	481	518	459	3738
SELECTMAN 3 Year Term (1)											
Blanks		10	8	9	3	7	6	6	8	7	64
Thomas A. Newcomb		227	127	195	126	161	160	204	227	259	1686
Stuart G. Weisfeldt*		261	124	222	153	183	295	271	283	193	1985
Write-In		0	1	0	0	0	1	0	0	0	2
Misc		0	1	0	0	0	0	0	0	0	1
	TOTAL	498	261	426	282	351	462	481	518	459	3738
SCHOOL COMMITTEE 3 Year Term (2)											
Blanks		328	162	305	168	256	295	337	341	350	2542
Sheila E. Pichette*		323	143	227	189	199	275	270	302	250	2178
Angelo J. Taranto		342	215	318	206	246	353	349	392	312	2733
Write-In		1	2	1	1	1	0	3	1	6	16
Misc		2	0	1	0	0	1	3	0	0	7
	TOTAL	996	522	852	564	702	924	962	1036	918	7476
LIBRARY TRUSTEE 3 Year Term (3)											
Blanks		538	300	540	289	451	458	499	539	533	4147
Elizabeth A. McCarthy*		369	175	265	207	215	349	342	373	316	2611
Eric T. Groves		287	156	226	181	199	277	289	315	257	2187
Margaret E. Marshall*		299	152	246	168	188	302	312	326	269	2262
Write-In		1	0	1	1	0	0	1	1	2	7
Misc		0	0	0	0	0	0	0	0	0	0
	TOTAL	1494	783	1278	846	1053	1386	1443	1554	1377	11214
BOARD OF HEALTH 3 Year Term (2)											
Blanks		129	75	124	63	120	104	130	131	139	1015
Peter Dulchinos *		369	186	301	218	231	357	351	387	318	2718
Write-In		0	0	0	0	0	0	0	0	0	5
Misc		0	0	1	1	0	1	0	0	2	3738
	TOTAL	498	261	426	282	351	462	481	518	459	3738
PLANNING BOARD 3 Year Terms (2)											
Blanks		323	175	311	153	284	267	344	347	328	2532
Robert C. Morse*		355	178	267	216	344	315	358	329	2574	
Christopher T. Garrahan III*		316	168	271	195	206	312	303	328	259	2358
Write-In		2	1	2	0	0	1	0	3	2	11
Misc		0	0	1	0	0	0	0	0	0	1
	TOTAL	996	522	852	564	702	924	962	1036	918	7476

SEWER COMMISSION 3 Year Term (2)

Blanks	303	152	284	164	257	274	314	312	352	2412
Richard J. Day *	350	190	281	194	221	320	328	362	280	2526
John F. Souza*	343	180	287	204	224	327	319	360	286	2530
Write-In	0	0	0	2	0	1	1	1	0	5
Misc	0	0	0	0	0	2	0	0	0	3
TOTAL	996	522	852	564	702	924	962	1036	918	7476

HOUSING AUTHORITY 5 Year Term (1)

Blanks	133	59	103	53	121	103	150	137	141	1000
Gail F. Hunter	365	201	320	229	230	358	331	381	318	2733
Write-In	0	1	3	0	0	1	0	0	0	5
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	498	261	426	282	351	462	481	518	459	3738

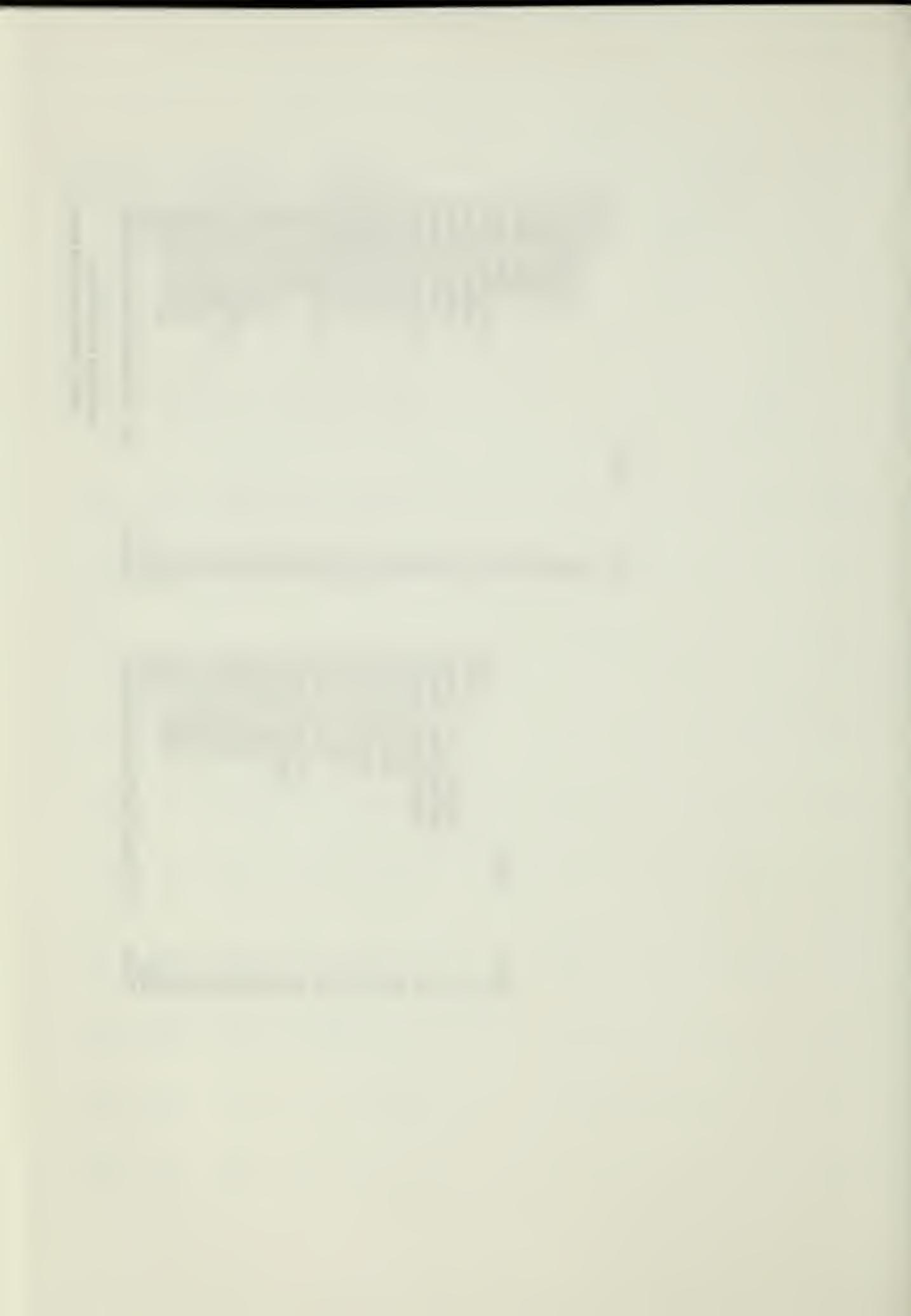
CEMETERY COMMISSION 3 Year Term (1)

Blanks	147	43	76	56	118	103	140	123	148	954
James F. Dolan*	351	218	350	226	233	358	341	395	311	2783
Write-In	0	0	0	0	0	1	0	0	0	1
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	498	261	426	282	351	462	481	518	459	3738

TOWN ELECTION APRIL 2, 2002

*Candidate for Re-election

TOWN MTG REPRESENTATIVES (18)	PCT #1	TOWN MTG REPRESENTATIVES (18)	PCT #2
Blanks	4399	Blanks	2485
Stephanie J. Levell*	180	Mark T. Connors*	135
Kathleen A. Tubridy	198	Susan E. Carter*	123
Laura C. McGuigan	165	M. Janice Spence*	132
Marian D. Currier *	214	Mary Jo Welch *	147
Frances T. McDougall *	178	George L. Merrill*	167
Donald F. VanDyne	106	Edward J. Nolet	142
Nancy H. Robinson *	202	Francis M. Conlin	126
Robert P. Joyce	217	Stanley W. Norkunas*	120
Jon E. Coleman	152	Wesley M. Harper*	148
Steven P.L. Maloney *	165	Phyllis H. Clark*	131
Anthony V. Volpe *	232	Karen E. Connors*	121
Sandra B Martinez*	163	Real R. Turcotte	120
William E. Spence*	212	Francis G. Miskell *	167
Cynthia J. Kaplan*	202	John W. Thompson *	101
Donna L. Sargent *	166	Bruce J. Harper, Sr *	155
Elizabeth A. McCarthy*	232	William F. Dalton (write-in)	54
Samuel P. Chase*	182	Jeffrey W. Stallard (write-in)	61
Charles A. Schramm	115	William J. Gillet, Jr. (write-in)	44
Michael N. Raisbeck	173	Write-in	17
Margaret Peggy Dunn*	183	Misc	2
Kathryn Brough*	190		
Barry B. Balan*	184		
James P. Lynch *	173		
Sandra A. Kilburn*	182		
Mary A. Gregoire	195		
Write-in	3		
Misc	1		
		TOTAL	4698
	8964		



TOWN ELECTION APRIL 2, 2002

*Candidate for Re-election

TOWN MTG REPRESENTATIVES (18)		PCT #3
TOWN MTG REPRESENTATIVES (6)		PCT #3
Blanks		4477
H. Steven Flynn*		187
Bruce R. Wolf*		165
Adrienne M. Jerome*		156
Thomas E. Moran*		190
George R. Dixon, Jr		209
David W. Hadley		181
Nancy J. Knight*		169
Harold I. Matzkin*		154
Carol W. Merriam*		165
Kathryn M. Fisher*		151
Michael F. Curran*		208
Christopher T. Garahan, III*		151
Shaun F. Saber*		140
John P. Emerson, Jr*		221
Jodie L. Murphy		168
D. Lorraine Lambert*		212
Michael F. McCall*		192
James P. Spiller		165
Write-in		5
Misc		2
Blanks		
Mark A. House*		
Brian P. Latina*		
Karen M. DeDonato		
Kathleen M. Redican*		
John G. Coppinger*		
Scott E. Johnson*		
Robert O. Gardner		
White-in		
Misc		
TOTAL		1692
PCT #4		
570		
140		
170		
177		
159		
167		
177		
128		
4		
0		



TOWN ELECTION APRIL 2, 2002

***Candidate for Re-election**

TOWN MTG REPRESENTATIVES (18)	PCT #5	TOWN MTG REPRESENTATIVES (6)	PCT #6
Blanks	3172	Blanks	1380
Kathleen Curran *	210	Ralph M. Nebalski*	285
Cheryl M. Perkins *	164	Mary E. Frantz*	284
Beverly A. Barrett *	134	Howard J. Hall*	282
Evelyn S. Thoren *	181	John P. Kivian	350
Dennis T. Bak*	112	Thomas R. Fall (write-in)	76
John C. Thibault	106	Linda J. Fall (write-in)	71
Patricia Wojtas	136	Darren Shaw (write-in)	26
Angela T. Buuck	111	Write-in	18
Bonnie G. Wilder *	154	Misc	0
Judith B. Mallette *	169		
Leonard R. Richards, Jr *	105		
Stephen J. Mallette*	161		
David P. McLaughlin*	130		
Carol A. Kelly-Suleski*	137		
Glenn R. Thoren*	163		
Chris L. Perkins*	127		
Barbara H. Ward	145		
Kathryn A. Torres	128		
W. Allen Thomas, Jr*	129		
John W. Wilder *	138		
Charles Wojtas	154		
Dean Carmelis*	149		
Write-in	3		
Misc	0		
TOTAL	6318	TOTAL	2772

1. *Leucosia* *leucosia* (L.)

2. *Leucosia* *leucostoma* (L.)

3. *Leucosia* *leucostoma* (L.)

4. *Leucosia* *leucostoma* (L.)

5. *Leucosia* *leucostoma* (L.)

6. *Leucosia* *leucostoma* (L.)

7. *Leucosia* *leucostoma* (L.)

8. *Leucosia* *leucostoma* (L.)

TOWN ELECTION APRIL 2, 2002

*Candidate for Re-election

TOWN MTG REPRESENTATIVES (18)	PCT #7	TOWN MTG REPRESENTATIVES (18)	PCT #8
Blanks	4470	Blanks	4566
Pamela L. Armstrong*	275	Philip M. Eliopoulos *	315
Joseph D. Ready *	245	Samuel Poulet	199
Leonard W. Doolan, III*	245	Joyce E. Johnson*	232
Stratos G. Dukakis	259	Mark A. Healy	170
Judith Hass*	238	Ralph J. Hulsander, Jr*	213
Carol A. Stark*	227	Rachael A. Haded	148
Kevin E. Porter*	232	William C. Curry*	262
Dennis J. Ready*	281	Gail A. Luchini	162
Dwight M. Hayward *	229	Richard J. Day*	217
Robert F. Sullebarger*	204	Richard M. Johnson*	230
Bernard A. Ready*	242	Christina H. Walsh*	209
Kathleen S. Fitzpatrick*	229	Margaret A. Fudge *	210
Clare L. Jeannotte*	201	Jennifer Renna Ferreira*	209
Donna L. Ready*	263	Robert H. Ouellette	144
Paul F. Gleason*	247	Michael R. Donoghue, Sr	128
Peter Dulchinos*	251	S. George Zaharoolis*	214
John S. Goffin*	231	John S. Fudge, Jr*	195
Gail F. McCall (write-in)	50	Alexander W. Genvais*	200
Joan D. Morrison (write-in)	13	Walter A. Cleven *	256
Susan Gates (write-in)	12	Angelo J. Taranto*	300
Write-in	13	Deborah Villano*	182
Misc	1	John E. Abbott*	185
		Mary E. Tiano	176
		Write-in	2
TOTAL	8658	TOTAL	9324
Misc		0	

TOWN ELECTION APRIL 2, 2002

*Candidate for Re-election

TOWN MTG REPRESENTATIVES (18)	PCT #9
Blanks	4369
Leonard E. Westgate*	226
Phyllis Elias*	197
J. Stephen Clark*	164
Thomas A. Newcomb*	268
Barry K. Hamill*	203
Will Perry*	208
James L. Hickey*	203
George E. Ryan, Jr	200
Matthew X. O'Brien	188
Marc A. Pate	190
Gary A. Mathews*	179
Francis J. Barre*	196
C. Thomas Christiano*	202
Doris M. Briggs	194
John G. Harrington*	212
William A. Bennett, Jr	149
Arthur R. Carmen*	159
Susan B. Graves*	212
James W. Young*	145
Robert P. Mackey*	196
Write-in	2
Misc	0
TOTAL	8262

ANNUAL TOWN MEETING

April 29, 2002

The Annual Town Meeting was called to order at 7:35 PM at the Senior Center. The Moderator Dennis E. McHugh recognized the presence of a quorum. There were 151 Town Meeting Representatives present. The Moderator pointed out the fire exits located in the room and then went over the rules and procedures of the meeting, regarding amending motions and discussions.

Brian Latina made a point of order. Due to the fact that the Country is at war, and to show support to the troops, he asked the Moderator to start the meeting with the pledge of allegiance. The Moderator said that even though he himself is a veteran, the current Town Meeting procedures doesn't allow him to address that issue one way or another. He suggested that Mr Latina form a procedure committee and report back to the Body regarding this.

Selectman William F. Dalton moved that the reading of the Constable's return of the Annual Town Meeting warrant be waived. Motion carried, unanimously. Selectman William F. Dalton moved that the reading of the entire warrant be waived. Motion carried, unanimously. The Moderator asked that the Body vote to allow the following non-residents, permission to speak and address the Body from time to time. School Personnel, Gary Persichetti, and Bruce Forrester. Attorney Howard Hall, who will represent a client under a zoning article. Steven Peterson from Weston and Sampson who will address the ongoing sewer project. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 1. Town Manager Bernard F. Lynch moved that the Town vote to hear reports of the Town Officers and Committees.

State Senator Susan Fargo gave a brief bleak picture of the State's financial picture. Currently the Senate is working on "revenue enhancements and cuts" to the budget which will be before them in early June. She reported that the noise issue regarding Route 3 would be studied as a result from a lot of work from officials and residents pursing this topic. The initial goal of the Senate is to get the budget done and passed on time for this year.

State Representative Carol Cleven addressed the Body. Currently the state budget is before the House and is being debated. Unfortunately, funding such as Chapter 70 funds and state aid is being cut 10% across the board. Human service areas are being hit hard. Community policing fund has just about been eliminated. The School Building Assisting Bureau is bleak; no more funding is being made available. Amendments are being proposed. The deadline for filing them is Tuesday April 30th. Looking at a shortfall of 2.3 to 2.7 billion dollars for FY03. She then announced that the Supreme Judicial Court ruled with a 4-3 decision against Chelmsford maintaining either it's own or a portion of the current State Representative district. She felt very sorry for Chelmsford being split four ways. There won't be any re-districting for another ten years. She then thanked Richard McClure who had filed the lawsuit, for all the effort he has made on trying to keep the district. As Representative Cleven left the podium and returned to her seat, the Body responded with applause and a standing ovation.

John Emerson, Chairman of the Sewer Commission gave an update to the ongoing sewer project. The areas addressed were the progress and accomplishments. Impacts on economy, impacts on the users/taxpayer. Status of appropriations, and the future of the project. He listed

the accomplishments. So far 135 miles of pipe has been laid. Which is 75% of the town or 8,880 homes. There is 45 miles left to do. The project is two years ahead of schedule. All public buildings in Town with the exception of the East and West Firehouses are tied into Town sewerage. This was done through negotiations with the various contractors, with no cost to the Town, which is a tremendous saving for the community. The West firehouse is now on schedule to be done due to the contract of the area just being awarded two weeks ago. He then asked that Steven Petersen from Weston and Sampson, who is the project Director for the entire sewer project, to explain the system's capacity. Currently the inter-municipal agreement system capacity at the Lowell Duck Island treatment plant is 3.01 million gallons a day. In 1996 Chelmsford projected 2.766 million gallons a day. The Town is now getting close to the limit and a temporary moratorium is being enforced on large developments. He went over the impacts of the economy and how it affects the cost of construction. From 1986 to 1988 the cost was \$70 to \$100 per foot. In December of 1988 the Phase 2 & 3 project the cost was \$75 a foot. In 1988 to 1996 actual bid prices remained close to \$75 a foot estimate. In November of 1995 the Phase 4 estimated cost was \$85 a foot. From 1997 to present the bid prices have ranged from \$96 to \$130 per foot. He then went over the costs per home. In 1986 to 1996 the cost was \$3,500 to \$8,500 (average \$7,000). From 1997 to present the cost ranged from \$9,500 to \$15,000 (average \$12,500). He addressed the impacts to the user/taxpayers. Betterments have remained under the \$7,500 cap and the tax rate has remained under the \$2.10 cap as promised in 1996. John Emerson then spoke about the funding of the project. The funding received was \$16.2 million in 1986 to 1991 from the grant program. From 1993 to present the Town's received \$45 million from the SRF program. And \$1.million in State rate relief money and \$4.million in private monies. There are a remaining 1,720 homes left to be seweried and there is only \$10.5 million left in appropriations. Once completed, it is estimated that out of the 1,720 homes the remaining 650 to 850 homes will be done if the economy allows it. The final goal of the Commission is to have the Town 100 % seweried.

Dean Carmeris, Chairman of the Secondary School Building Committee explained that in April of 2001, the Body appropriated \$750,000 and voted a committee to provide a complete feasibility study. The study is for the two middle schools and high school. The purpose is to see what improvements and additions would be needed for these facilities. The Committee is to produce a set of plans and construction costs. This report will update the Body on where the Committee is at this point. The first phase, which is the feasibility study, has been completed. An assessment was made of all the current school buildings. A program summary for High School and Middles schools completed and endorsed by the School Committee. Middle School option selected. The second phase is the schematics and cost estimate. Which is a detail construction cost that will be presented to this Body and the Town in the fall. He listed the summary of changes to be made to the high school by adding 100,000 sq ft. Which broken down is: 31,000 sq ft of instruction space. A 23,000 sq ft auditorium. 5,000 sq ft to be used by administration and support. 5,500 sq ft for departmental use. 2,000 sq ft for system wide use, which is the day care and SPED programs. Then you have to allow 30,000 for corridors and circulation space etc. Once the program summary was decided and done where will these additions and changes go? The architect has given the committee a plan that was approved a few weeks ago, specifying details of where the auditorium will go and where the new addition will go. This information will be available on the web site and at future presentations that will be given in the near future. High School summary was straightforward because there was only one building to consider. However, the Middle School process is more complicated. There are two schools involved and the Committee had to decide how to expand and add to the schools. Also they had to look at the opportunity to reconsider the enrollment distribution and decide if there is just financial benefit? Currently the distribution of enrollment is 55% go to McCarthy and 45 %



go to the Parker. This is because of the elementary schools locations to the Middle Schools. He then went over the Middle School options. The Committee looked at whether to maintain the current 55/45 enrollment that is based on the feeder system. They looked at a 50/50 balance of school enrollment because there are cost benefits to doing so. They also looked at having three schools. Which educational wise is beneficial, but was cost prohibited and was eliminated from consideration. The other problem looked at especially regarding the McCarthy was whether to renovate or build a new Middle School. He went over the methodology and came up with seven different attributes. Cost and education was the highest. He urged the Body to view the website for more information. He then went over the Middle School options. The Committee decided to have balance enrollment, which is more cost effective. The Parker is a wonderful building just not particularly well designed school it has circulation problems that need to be addressed. A fairly large substantial addition will go on this building thus providing a means to correct the circulation issues. With regards to the McCarthy, the Committee decided not to put an addition on the present building, but to build a new building on the current football field. Once completed then demolish the present McCarthy School. This is more cost effective. The building is a fifty years old, well beyond its projected life. This means the roof, the boilers; etc is fifty years old,. It has been maintained fairly well, however, the state of the building is an age issue. It has served a useful life. The State agency that guide this process stipulates that you should have a fifty-year life associated whenever you do major renovation. A full gut renovation would have to be done. It could take only three years to build new building, whereas five years to put on an addition. By the time this is achieved the cost of renovation would be almost the cost of new construction. This avoids the cost of temporary classrooms and all the confusion and phases that must be done when putting a large addition on to an existing building. Millions of dollars would have been to be spent in association with any large addition in project costs. This would have no redeeming education value once the addition had been completed. The result would be adding 45,000 sq ft across both schools. This would be done mostly at the Parker site. The new McCarthy School would be almost the same size as the current school. The next step of the Committee is to continue to finalize schematics of the Middle Schools. They must make decisions, which will effect the project's price. These options are at the Parker and the High School regarding the degree of renovation that will be done. There are a lot of costly decisions that will be forced onto the project at no choice of cost. Due to these buildings being brought up to current code and meeting the disability acts requirements. However, decisions can be made regarding other costs, like the choice of rugs vs tiles etc. Once this is completed then the Committee can determine what the estimated construction cost would be. He then went over the funding factor. The economy has disrupted the reimbursement policy of the state. When the Committee reports back to the Body in the Fall they should have more information. He listed the timeline from now to the fall meeting. The Committee will complete schematics by June. Develop cost estimates by June. Review financing options and implications. Make a conceptual presentation to SBA (School Building Assistance) in July. Once this is done then educate the community throughout the summer. Get the information out. Let the community absorb all the information with the anticipation of having a vote in the fall. Then the project must be approved no later than early October by the School Committee. He added that so far the School Committee is in favor on the Committee's findings. Present an article at the Fall Town Meeting for decision. If approved by Town Meeting then present to Town wide voters for approval. He hoped to be back in the fall with a full project to be done.

Bernard Lynch Town Manager presented to the body his yearly report on the status of past articles or projects that had been voted on at Town Meeting and are still ongoing. He started with the new Police Station. The project is moving ahead of schedule due to the mild winter. Most importantly it is on budget. The goal is to complete the station and move in and be

operational by this December or early January. The D.P.W. garage location site study is well under way and he hopes to have a complete report at the October meeting. The Center traffic improvement project was to have gone out to bid this month. This is a State project and will go out for bid on May 21st. The bike path is still before our Town's Conservation Commission. Both projects should be underway within the near future. Regarding the traffic lights for North Road at Dalton Road and Parkhurst Road. The Board of Selectmen and himself are working with the State for funding, it has a price tag of \$1.7 million dollars. Received approval from the legislation under the Transportation bond bill. Still must go through the Mass Highway Review Committee, who has indicated that they will endorse the project. However, once approved it won't be done right away, it will take a few years. The financial picture of the Town will be addressed under the budget article. The Town recently went out to the bond market for \$24. million dollars and received a favorable interest rate and a good bond rating from Standard and Poor's and Moody's. They felt that the Town overall was in good financial shape due to actions taken over the last several years in regards to expenditure, revenues, particular the reserves and management practice that have been put in place. Obviously this makes the Town a good credit risk. Good sign for the Town especially as it goes through the difficult financial times ahead.

UNDER ARTICLE 2. Town Manager Bernard F. Lynch moved that the Town vote to transfer \$7,500 from Conservation fees under Wetlands Special Reserve Fund to reduce the Conservation Commission Budget Fiscal Year 2003.

The Town Manager explained that this is a standard article. The money is used to offset the cost of the Conservation budget. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further debate? Hearing none, he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 3. Town Manager Bernard F. Lynch moved that the Town vote to transfer \$1,442,053 from Sewer Betterments, Special Revenue, to reduce the exempt portion of debt and interest in the Fiscal Year 2003 Budget.

The Town Manager explained that this is a standard article. The money collected from the betterments is used to reduce the taxes necessary to finance the ongoing sewer project. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further debate? Hearing none, he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 4. Town Manager Bernard F. Lynch moved that the Town vote to transfer from Sewer Rate Relief Funds, Special Revenue, \$370,947 to reduce the exempt portion of debt and interest in the Fiscal Year 2003 Budget and \$50,000 to acquire the following sewer equipment otherwise funded by sewer user fees:

Portable Emergency Generator	\$ 30,000
Base SKATER System	\$ 20,000

The Town Manager explained that this fund which is a State approved program is to help communities who do their own work on their systems. The money must be used to purchase capital items. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further debate? Hearing none, he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 5. Town Manager Bernard F. Lynch moved that the Town vote to transfer from the Stabilization \$1,550,000 to be used to offset that portion of debt and interest in the Fiscal Year 2003 Budget.

The Town Manager explained that this fund has over eight million dollars in it, which is good for the Town's bond rate. It will be needed to pay for the various capital projects and renovation work to be done on the elementary schools. These funds could be used to make up for the slow economy. Should be used for one time costs only, not to be used for operating costs. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further debate? Hearing none, he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 6. Town Manager Bernard F. Lynch moved that the Town vote to transfer \$313,888 from Free Cash to be used to fund certain one-time costs associated with the retirement of employees of the Town working in the School Department in FY03.

The Town Manager explained that is similar to the article passed last year. It is a one-time cost, working jointly with the School Department. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further debate? Hearing none, he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 7. Town Manager Bernard F. Lynch moved that the Town vote to raise and appropriate \$150,000 to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws Chapter 40, Section 6.

The Town Manager explained that this is a standard article. In the past the amount use to be \$400,000. It is for the Finance Committee's to use for emergency transfers. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further debate? Hearing none, he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 8. Town Manager Bernard F. Lynch moved that the Town vote to raise and appropriate \$1,228 with which to meet bills from previous years.

The Town Manager explained that this amount represents FY 01 bills that were submitted after June 30th. \$694.48 for a Police bill. \$96.99 for a Council on Aging bill and \$436.53 for a recreation bill. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further debate? Hearing none, he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 9. Cemetery Superintendent John Sousa moved that the Town vote to transfer \$17,000 from the sale of the Graves and Lots to the Cemetery Improvement and Development Fund.

John Sousa Cemetery Superintendent explained that this is a standard yearly article. The money is used for the ongoing beautification program of the six Town owned cemeteries. He asked that the Body support the article. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further debate? Hearing none, he asked for a vote by way of a show of hands, **motion carried, unanimously**.

UNDER ARTICLE 10. Town Manager Bernard F. Lynch moved that the Town vote to raise and appropriate \$25,000 to engage a private accounting firm to prepare an audit of all accounts in all departments in the Town of Chelmsford.

The Town Manager explained that this is another annual article. It is a federal law that an audit is done regarding the expenditure of any federal funds. The Town takes advantage of this opportunity to conduct a full audit. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further debate? Hearing none, he asked for a vote by way of a show of hands, **motion carried, unanimously**.

UNDER ARTICLE 11. Town Manager Bernard F. Lynch moved that the Town vote to raise and appropriate \$25,000 for the purpose of funding the sand purchase approved by the Town under Article 4 of the 1998 Special Town Meeting held on April 27, 1998.

The Town Manager explained that this is the property that provides the Town with sand. It was purchased in 1998 and the yearly payments that were negotiated at a \$25,000 per year payment. The Moderator asked if there was any need to hear further debate? Hearing none, he asked for a vote by way of a show of hands, **motion carried, unanimously**.

UNDER ARTICLE 12. Dwight Hayward moved that the reading of this article be waived. The Moderator asked if there was any need to debate? Hearing none, he asked for a show of hands, motion carried, unanimously. The Town Manager explained that because this is a by-law it requires a Town Meeting vote in order to increase the fees. The fees are currently \$10.00 for all dogs. These fees haven't been increased for 15-17 years. The increase to \$15.00 per dog would go toward supplementing the Dog Officer's salary/budget. Sam Poulten questioned why there wasn't a break for neutered dogs. The Manager explained that all he was addressing was the fee situation. All other wording is staying the same as stated in the original by-law. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further debate? Hearing none, he asked for a vote by way of a show of hands, **motion carried**. The reads as follows:

Town Manager Bernard F. Lynch moved that the Town vote to amend the General Bylaws Chapter 11, Animals, Article I, Section 11.5 License Fees, by deleting the following section:

- A. The fee for every dog license shall be \$10 for every neutered male dog, \$10 for every spayed female dog and \$10 for every male and female dog.
- B. Determination of licensing eligibility, dogs not required to be licensed or refunding license fees shall be determined as set out in S. 139.
- C. The fee for every kennel license shall be as follows:



- (1) For every kennel license for four dogs or fewer: \$40.
- (2) For every kennel license for over four dogs but not over 10 dogs: \$80.
- (3) For every kennel license for over 10 dogs but not over 25 dogs: \$150.

D. All fees shall be increased by \$5 on the first day of the second month following the required licensing period, as outlined in S. 11-3A of this article, and by an additional \$5 on the first day of each succeeding month up to June 30 each year.

E. In addition to all other sums due and owing for any license fee hereunder, a person who applies for a license hereunder shall be obligated to pay all prior amounts of license fees determined to be due and owing by the Town Clerk pursuant to this article for past periods in which said person was obligated to obtain license. It shall be a violation of this article to fail to pay any said sum due hereunder. This remedy shall be cumulative.

And replacing with the following section:

- A. The fee for every dog license shall be **\$15 for every neutered male dog, \$15 for every spayed female dog and \$15 for every male and female dog.**
- B. Determination of licensing eligibility, dogs not required to be licensed or refunding license fees shall be determined as set out in S. 139.
- C. The fee for every kennel license shall be as follows:
 - (1) For every kennel license for four dogs or fewer: \$50.
 - (2) For every kennel license for over four dogs but not over 10 dogs: \$100.
 - (3) For every kennel license for over 10 dogs but not over 25 dogs: \$200.

D. All fees shall be increased by \$5 on the first day of the second month following the required licensing period, as outlined in S. 11-3A of this article, and by an additional \$5 on the first day of each succeeding month up to June 30 each year.

E. In addition to all other sums due and owing for any license fee hereunder, a person who applies for a license hereunder shall be obligated to pay all prior amounts of license fees determined to be due and owing by the Town Clerk pursuant to this article for past periods in which said person was obligated to obtain license. It shall be a violation of this article to fail to pay any said sum due hereunder. This remedy shall be cumulative.

UNDER ARTICLE 13. Dwight Hayward moved that the reading of this article be waived. The Moderator asked if there was any need to debate? Hearing none, he asked for a show of hands, motion carried, unanimously. The Town Manager explained that this is another by-law, which needs to be updated in order to reflect the increase in cost of paving and maintaining the roads in the Town. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further debate? Hearing none, he asked for a vote by way of a show of hands, **motion carried, unanimously.** The article reads as follows:

Town Manager Bernard F. Lynch moved that the Town vote to amend the General Bylaws Chapter 142, Streets and Sidewalks, Article II Street Openings, Section 142-13 Application fee, by deleting the following section:

All applications for any permit shall be accompanied by a certified check payable to the Town of Chelmsford in the amount of \$3 per linear foot, with a minimum fee of \$25. If work is to be done on more than one way or street, a separate legally and duly issued permit must be obtained for each way or street. Permits required under S. 142-12 and the first renewal of any legally and duly issued permit are not subject to the application fee as provided for in this section. Failure of work to commence within one month of the date of issuance automatically voids the permit and will result in for forfeiture of 10% of the application fee to the Town of Chelmsford.

And replacing with the following section:

All applications for any permit shall be accompanied by a certified check payable to the Town of Chelmsford in the amount of **\$5 per linear foot**, with a minimum fee of \$25. If work is to be done on more than one way or street, a separate legally and duly issued permit must be obtained for each way or street. Permits required under S. 142-12 and the first renewal of any legally and duly issued permit are not subject to the application fee as provided for in this section. Failure of work to commence within one month of the date of issuance automatically voids the permit and will result in for forfeiture of 10% of the application fee to the Town of Chelmsford.

UNDER ARTICLE 14. The Town Manager moved to withdraw the article. He explained that the State Legislation has a bill pending regarding early retirement that would effect the cities and towns in the State. The article had been put on the warrant in anticipation that the bill would be passed by the time Town Meeting began. As of this date there are issues regarding the final language, so the vote is still pending. The wording on the bill may allow the Board of Selectmen to vote instead of Town Meeting. The Moderator asked if there was any need to hear further discussion. Hearing none, he asked for a show of hands **motion carried** to withdraw the article. (see warrant for wording)

UNDER ARTICLE 15. The Town Manager stated that there are difficult financial times ahead. There is to be \$1.million less in State aid then this budget anticipates. The State is in a very difficult position, the economy is such, that there is not an abundance of revenue to fund local government. The Town budget is studied years before by making projections of revenues and expenses. and determining what capital budgets can be afforded. He determined that the budget was going to have a shortfall of \$3.1 million dollars. This is the difference between revenue that were projected expenses and costs of operating service on level bases. Clearly changes had to be made. Adjustments on revenue were made. He looked at the stabilization fund and increased the contribution. He reviewed the costs and tried to address and fine-tune them. However there are a number of at the fixed costs. Debt and interest, a 20% increase in health costs, liability insurance has increased, pension costs for employees, various assessments for regional and state commitments. The bulk of the costs or 80% of the money goes towards personnel. There are 950 employees full time employees. He asked that the Body review the budget book and look at the various departments and see how many employees are listed. He said that the Budget to be voted on is a balance budget with level services being provided. This is the best that can be done considering the state of the State in regards to aid. He then went over where the money comes from. There are four revenue sources. Local taxes, state aid, local receipts and available funds. The Town Manager then asked that the Superintendent of Schools Dr. Richard Moser come forward and go over the school budget.

Dr Moser said that he would keep the presentation brief and would highlight the issues that the School Department will be facing not only next year, but future years ahead. He explained where the increases and decreases were in the budget. He went over where the department has been since September of this school year in regards to the five year plan. 402 children have enrolled for the fall kindergarten classes. This means that there will be 28-29 students per class. He talk about the existing budget. It is balanced now but will not be the same budget after July 1st. This is the only department that hasn't settled contractual agreements with it's employees. There is a reduction in State aid money by 10%, also a reduction in grants. The School Committee and the Superintendent are planning to review the issues of class size for the first grades. Considering transportation fee. Legally only responsible for K-6th grade students who live two or more miles from school. Currently 50 % of the students are transferred now because it's the right thing to do. A fee of \$100 per student who live within the two mile limit and are transferred, may be considered. Also will look at increasing the parking fees at the High School, athletic fees, community education fees. Will look at the possibility of reducing the text book account by \$50,000. Will review the library program and may need to limit the technology goals. Possibly level fund the personnel for grades 9-12. These items are being considered, nothing yet has been eliminated but may be. There is an overall concern for the FY04 budget. The Moderator asked if there were questions? He asked for the recommendations of the boards. The Finance Committee recommended the article. The Board of Selectmen recommended the article. A discussion took place. Jim Hickey questioned is the budget needs to be reduced another million dollars where will this come from, the School side or the Town side? The Manager explained that if this does happen then he'll have to develop a formula. He'll have to take a close look. There is a decrease of roughly 4.8 positions in the School Department. The Town side eliminated fifteen positions. Decisions will have to be made on what further cuts will have to be made. It depends on the final State numbers. More personnel may have to be eliminated. Certain services may need to be cut back. Then there are services that need to be provided like trash and public safety for one. Other areas will have to be studied. D. Lorraine Lambert questioned why was the Library budget receiving the biggest budget cut compared to the other departments? The reason is because there was a great amount of savings in that department. We spend a \$42 per capita, which is the fourth highest in the area. The Town has always supported the Library. However, due to the major problems in the school department and public safety and the need to maintain our infrastructure and the base amount of spending left for other departments, his only choice was to make the biggest cut in the Library Budget. Lorraine Lambert wanted to know how the Town was going to provide quality service to the patrons? She felt that it was unfair to eliminate the Sunday hours at the Adams and cut the hours of operation at the McKay. By doing this she felt that the Manager was saying that there was no need for a library. The Manager said that he has always advocated spending for the Library. He supported the building of the new library, he feels it is an essential part of Town government. But there is reality. The Town is looking at a current budget of limited resources with a potential for fewer resources, and must deal with the problems in other departments. Bill Martin questioned the expense of running the SPED program. Is there something that could be done to offset the cost? He suggested the possibility of perhaps bring students from others Towns to Chelmsford and charge for the service. Dr Moser said there is limited space to provide for students. Stephanie Levell questioned the increase cost of electricity. Robert Cruicshank explained that the Center School is not part of a program called select energy. The Center School is the most expensive school to operate right now. Brian Latina questioned the potential busing fees and the proposed increase in athletic fee. He also questioned the Sunday closing of the Library. Bob Joyce questioned the ratio of the cut positions of school and non school personnel. The Town Manager explained that it was based on budget growth. Norman Albert questioned how much does it cost

to bus the students? Dr Moser replied \$1.6 million dollars. Norman Albert asked if the Town Manager was planning on having any committee to study the consolidation within the Fire Department could he go on it? The Manager said that if that point was reached he would encourage Norman to apply for a position. Claire Jeannotte questioned the cutting of the Sunday hours. Whose decision was it?. It was her understanding that the Department heads were given choice on where to cut their budgets. She asked a Library Trustee to comment. Steven Maloney, Chairman of the Board of Library Trustees explained that yes that was the situation. The Trustees and Library Director when through the budget and made the choice. The cuts were not taken lightly. Particular the Sunday hours. The Sunday hours are the most expensive hours to maintain. To be certified by the State as a Library the library has to be open for sixty -three hours. Cutting the four Sundays this brings the hours down to 65. If the hours are lower than sixty -three State funding will be lost. The Director and Staff went over the budget line item by line item and determined that the Sunday hours are the optional hours. Claire Jeannotte asked why the hours couldn't be limited during the week and still keep the Sunday hours, and what is the cost for Sunday hours. The weekday hours serve more people. The cost for Sunday hours is \$37,000. The staff must be paid time and a half and the hours are optional working hours according to the union contract. Chelmsford was one of the few communities with Sunday hours. Claire Jeannotte felt that the Trustees should look harder at the decision and find a means to continue the hours. Steve Maloney said that these were painful cuts. The Trustees went through the operational budget as best as they could to reach the most ideal solution for the Town. This will be evaluated on a month by month bases. If any additional funding can be obtained to elevate the situation regarding the Sunday hours, it will be done. The Town Manager expressed the same. Dennis Ready moved the question. The Moderator asked if there was any need to hear further debate? Hearing none, he asked for a show of hands, motion carried. He then asked for a vote on the article. **Motion carried.** The article reads as follows:

Town Manager Bernard F. Lynch moved that the Town vote to raise and appropriate the sum of \$77,266,256 to defray Town charges for the fiscal period July 1, 2002 to June 30, 2003 according to the following line items:

Municipal Administration	
Personnel Services	\$1,337,659
Expenses	\$653,935
Chelmsford School Department	\$41,002,277
Nashoba Technical High School	\$774,751
Public Safety	
Personnel Services	\$8,231,591
Expenses	\$768,908
Public Works	
Personnel Services	\$1,865,730
Expenses	\$3,832,664
Snow and Ice	\$460,000
Offset Receipts	(\$1,534,740)
TOTAL	\$4,623,654
Sewer Commission Expenses	\$20,000

Cemetery	
Personnel Services	\$228,234
Expenses	\$38,575
Community Services	
Personnel Services	\$549,889
Expenses	\$159,650
Library	
Personnel Services	\$942,411
Expenses	\$407,985
Undistributed	\$8,655,000
Debt	
Principal	\$5,698,249
Interest	\$3,173,488

UNDER ARTICLE 16. The Moderator read the article. The Finance Committee was in favor of the article. The Board of Selectmen were in favor of the article. A discussion took place. George Merrill moved to amend the article by deleting the Mower Replacement \$65,000 under Maintenance. He felt that this was an extravagant amount of money for a lawn mower. The money could be used to keep the McKay Library open. The Town Manager explained that this was not just a lawn mower. It is a utility tractor which is a combination backhoe, tracker mower. Jodie Murphy asked that Gary Persichetti, School Maintenance Superintendent to speak about the item. Gary Persichetti that the mower will be used to maintain the fields. There are 179 acres through out the Town to be maintained. There are three mowers but only two are presently working. Jim Hickey questioned is this was a five year item? Yes it was. Then it would cost \$14,000 a year. Brian Latina spoke in favor of the motion to amend. The Moderator asked if there was any need to hear debate? Hearing none, he asked for a vote by way of a show of hands, **motion defeated**. Robert Joyce questioned the \$60,000 under Administrative Technology. Bruce Forrester Director of Technology for the Schools explained this is to upgrade the administrative computers in the elementary schools offices. A discussion took place on the amount of money that has been funded through capital planning for school technology. Some Representatives felt that it's not necessary for all students to have access to the internet. They felt that the cost for the computers was too high compared to what the cost is in the corporate world. Frances McDougall moved the question. The Moderator asked if there was any need to hear further debate? Hearing none, he asked for a vote by way of a show of hands. **Motion carried, unanimously**. The Moderator asked for vote by way of a show of hands on the article. **The Moderator declared that the motion carried, by recognizing the 2/3's vote by-law**. The article reads as follows:

Town Manager Bernard F. Lynch moved that the Town vote to appropriate the sum of \$2,271,000 for the following capital projects:

FY2003 PROPOSED CAPITAL BUDGET

Function	Department /Location	Project	Expenditure
Municipal Administration	<u>Planning & Dev.</u>	Geographic Information System (GIS Phase 1)	\$65,000
		<i>Municipal Administration Subtotal</i>	<i>\$65,000</i>
Public Safety	<u>Police</u>	Cruiser Replacement	\$147,000
	<u>Fire</u>	Refurbish Engine 1 Center, N. & S. Station Boiler Replacements	\$26,000 \$78,000
		<i>Public Safety Subtotal</i>	<i>\$251,000</i>
Public Works	<u>DPW</u>	Drainage Improvements Road Maintenance Town Offices Roof Town Offices Ext. Rehab Cabs on Two Sanders	\$100,000 \$200,000 \$25,000 \$80,000 \$50,000
		<i>Public Works Subtotal</i>	<i>\$455,000</i>
	<u>Chelmsford High</u>	Track Resurfacing	\$125,000
Public Education	<u>Byam Elementary</u>		
	<u>Harrington Elementary</u>	Boiler Upgrades to the Three Elementary Schools	\$600,000
	<u>Westlands Elementary</u>		
	<u>South Row Elementary</u>	Window Replacement	\$285,000
	<u>Technology</u>	Administrative Technology Computer Network Classroom Computers	\$60,000 \$110,000 \$200,000
	<u>Maintenance</u>	Mower Replacement Two Pick-up Trucks	\$65,000 \$55,000
		<i>School Department Subtotal</i>	<i>\$1,500,000</i>
	CAPITAL PROJECTS TOTAL		\$2,271,000

And to transfer the sum of \$13,512 from unexpended bond proceeds under Article 3 of the Annual Town Meeting of April 24, 1995; transfer \$25,987 from unexpended bond proceeds under Article 6 of the Annual Town Meeting of April 29, 1996; transfer \$3,166 from unexpended bond proceeds under Article 6 of the Annual Town Meeting of April 28, 1997; transfer \$820 from unexpended bond proceeds under Article 7 of the Annual Town Meeting of April 27, 1998; transfer \$2,515 from unexpended bond proceeds under Article 9 of the Annual Town Meeting of April 26, 1999; and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow \$2,225,000 under Massachusetts General Laws Chapter 44, Sections 7 and 8 or any other enabling authority to fund these obligations.

Selectman Philip Eliopoulos moved to adjourn Town Meeting to Thursday May 2nd, 7:30 PM to the Senior Center. The Moderator asked for a show of hands, motion carried. The meeting adjourned at 11:20 PM.

Dennis E. McHugh, Moderator

Mary E. St.Hilaire, Town Clerk

ADJOURNED ANNUAL TOWN MEETING

May 2, 2002

The Adjourned Annual Town Meeting was called to order at 7:30 PM at the Senior Center. The Moderator Dennis E. McHugh recognized the presence of a quorum. There were 145 Town Meeting Representatives present. He announced that if anyone in the hall has cell phones or beepers to please put them on silent ring. If any calls are to be taken then take them out in the hall.

UNDER ARTICLE 17 Dwight Hayward moved that the reading of this article be waived. The Moderator asked if there was any need to debate? Hearing none, he asked for a show of hands, motion carried, unanimously. The Town Manager explained that this article is regarding two streets that were built in two different subdivisions. Arthur Avenue is from a recent subdivision and it has met all the requirements for acceptance. Arrowhead Circle is from an older cluster subdivision that was built roughly fifteen years ago. It was the subject of some litigation. Since that time there is some small bits of remaining minor surveying work that needed to be complete. The Town will draw up a street acceptance plan at no cost to the Town. This is the result a settlement with the developer. He asked that the Body approve this article. The Moderator asked if there were any questions? The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear debate? Hearing none, he asked for a vote by way of a show of hands, **motion carried, unanimously**. The article reads as follows:

Selectman William F. Dalton moved that the Town vote to that the Town accept as a public way the street known as Arrowhead Circle as laid out by the Board of Selectmen and described in the report of same duly filed in the Office of the Town Clerk; and I move that the Town authorize the Board of Selectmen to acquire by gift, purchase, eminent domain, or otherwise any and all temporary and/or permanent easements and any land in fee simple with the trees thereon, as may be necessary for the construction, maintenance and use of Arrowhead Circle as a public way and including related drainage and utility easements, upon such terms and conditions as the Board of Selectmen may deem appropriate; and I move that the Town raise and appropriate the sum of \$1.00 to defray necessary costs, fees and expenses in connection with the acquisition of said easements and/or land and for paying any damages which may be awarded as a result of any such eminent domain; and I move that the Town authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto, and

I move that the Town accept as a public way the street known as Arthur Avenue, as laid out by the Board of Selectmen and as described in the report of same duly filed in the Office of the Town Clerk, providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; and I move that the Town authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, with trees thereon, by purchase, eminent domain, or otherwise, for the purpose of securing traffic safety and road improvements, and I move that the Town raise and appropriate \$1.00 to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; and I move that the Town authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto.

UNDER ARTICLE 18. The Town Manager explained that this is an annual article.

When revolving funds are used, the State Law requires that they must be voted on in the year they are being used for. The Senior's pay for their trips and the money is returned to the fund. Before a vote was taken a point of order was made by Sandra Kilburn that the motion read fiscal year 2002 instead of 2003. The Moderator noted the typo and moved that the Body accept the motion to read FY2003. Motion carried. The Moderator asked if there was any need to hear further debate? Hearing none, The Moderator asked if there was any need to hear further debate? Hearing none, he asked for a vote by way of a show of hands, **motion carried, unanimously.** The article reads as follows:

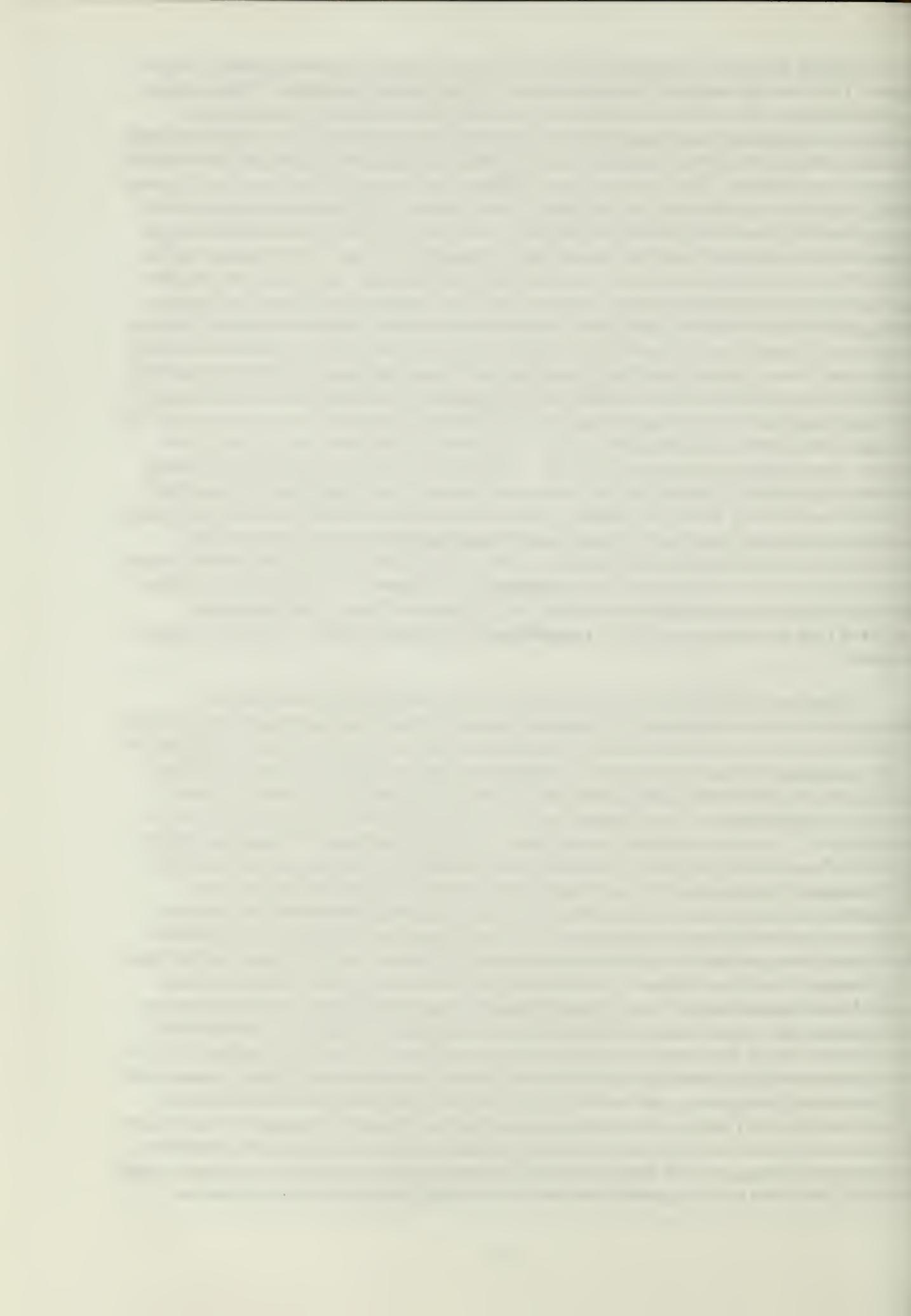
Town Manager Bernard F. Lynch moved that the Town vote to authorize a revolving fund under Massachusetts General Laws C. 44, S. 53E ½ for the Council on Aging for Fiscal Year 2003. The receipts to be credited to the fund shall be from the collection of fees from the implementation of a Senior Trip program. The Council on Aging shall be authorized to spend money from the fund for the purpose of providing transportation necessary for implementing a Senior Trip program. Expenditures from the Senior Trip program revolving fund shall be limited to \$300,000 during Fiscal Year 2003.

UNDER ARTICLE 19. Dwight Hayward moved that the reading of this article be waived. The Moderator asked if there was any need to debate? Hearing none, he asked for a show of hands, motion carried, unanimously. Andy Sheehan the Community Development Coordinator presented the article. This article is to authorize the Board of Selectmen to purchase the property located at 19 Maple Road. It has fourteen acres and the house was built in 1704 and is the second oldest house in Chelmsford. Due to the reconstruction of Route 3, \$4 million dollars has to be put aside by Modern Continental for communities directly affected by the Route 3 widening. The communities can apply for a grant through the Executive Office of Environmental Affairs. The Conservation Commission and the Chelmsford Conservation Land Trust has been looking at the property. It has been on the market for several years. The asking price was \$765,000. The Town didn't have the resources to make any bid. Even though the present economy situation isn't the best, but with the availability of the Route 3 conservation fund, it was felt that the Town could now bring the option forward. He showed pictures of the property. It is in South Chelmsford it abuts the Byam School property. It is thirteen acres of farmland with a house and barn. This land could be used for agricultural open space, such as community garden plots. Or there is a possibility of putting it in control a management firm that would take over the fields. The plan right now is to cut off 1½ acres, which would include the house and barn and sell this portion off. By using the Route 3 mitigation fund there are certain stipulations. The land has to be put aside for conservation use. The Town cannot build soccer fields or little league fields etc on the land. It has to remain as open space. The Town has negotiated a price of \$730,000 with the current owner. The Town has applied for a grant of \$742,630.75. The reason the grant request is higher is to cover the expenses of title examinations, two appraisals, an environmental site assessment, and surveying being done to the property. The Town anticipates receiving \$580,000. in grant money. Andy Sheehan had hoped to have heard from the State by the time this article came to Town Meeting or by the end of April. It didn't work out that way. There is support for this project more than projects in other communities. He feels that the Town will get the grant of \$580,000. The anticipated revenue from the sale of the house will be \$400,000. Any additional funds left over will go into a fund that will be used to improve conservation areas. The total of these figures is reflected in the warrant article. Also there is a contingency that the Selectmen will not move forward with the acquisition unless the State provides a grant of at least \$400,000. If that doesn't happen then the project will not move forward. If this property was sold to a developer it could potentially be



turned into six house lots. The Conservation Committee has many acres of wetland that is open space. This is an opportunity to have open space with agricultural possibilities. Dennis Ready questioned that in the mid-80's Frequency Sources which was a business in the area had a problem with pollution's and hazardous waste, has this been cleaned up? Yes Lockheed/Martin the new owner's of the property hired an environmental firm who put in wells and cleaned up the source of the pollution. The Town then hired a different environmental firm to review what was done. The report said that there was no threat to public health. Jeff Stallard questioned if there was an historic preservation attached to the house. No there is nothing, it hadn't been thought about. John Wilder asked what the assessed value of the property was. Andy Sheehan replied \$476,400. Does this property abut the proposed Freeman Bike path? Yes it does, the abandon railroad track run along the properties border. In fact there was the possibility of a parking lot being built on the site for bike path users. But this was abandoned because the slope of the land wasn't good. Mark Connors questioned the liability factor because of past contamination being in the area. Town Counsel John Georgio said that the Town would be in the "chain of title" but because the contamination didn't originate on the property there is protection in the law against the Town being liable. The Moderator asked for the Finance Committee's recommendation. The Finance Committee was in favor of the article. The Board of Selectmen was in favor of the article. John Wilder spoke against the article. He felt that the Town already had a numerous amount of open space. He felt that the Town would be losing tax dollars by not allowing the land to be sold as lots. David McLachlan, Chairman of the Conservation Committee said that the Committee supported the article. He said that it's a rare opportunity for the Town to take advantage to obtain agricultural open space, he asked for the Body to support the article. Dennis Ready spoke in favor of the article. The Moderator asked if there was any need to hear further debate? Hearing none, he asked for a vote by way of a show of hands. **The Moderator declared that the motion carried, by recognizing the 2/3's vote by-law.** The article reads as follows:

Selectman Michael McCall moved that the Town vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain, or otherwise, the property located at 19 Maple Road in the town of Chelmsford, Massachusetts shown as Assessors Map 116, Block 393, Lot 2, containing 13.9 acres more or less, as shown on a plan entitled Preliminary ANR Plan dated April 29, 2002 on file in the Town Clerk's office, and more fully described in a deed recorded in the Middlesex North District Registry of Deeds in Book 3811, Page 227, Parcel A consisting of 1.5 acres on said plan, more or less to be held by the Board of Selectmen for the purpose of conveyance, and Parcel B on said plan consisting of 12.4 acres more or less to be held, managed, and controlled by the Conservation Commission under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, as amended for open space purposes under the Community Preservation program; and vote to appropriate the sum of \$750,000 for said acquisitions, and that to raise said appropriation, the treasurer with the approval of the Board of Selectmen is hereby authorized to borrow up to \$750,000 and to issue any bonds or notes under Massachusetts General Laws Chapter 44 and/or Chapter 44B that may be necessary for that purpose; and vote to convey concurrently at the closing and in perpetuity a conservation restriction on Parcel B pursuant to Massachusetts General Laws Chapter 184, Sections 31-33 to the Commonwealth of Massachusetts Executive Office of Environmental Affairs, Department of Environmental Management; and vote to accept from the Commonwealth of Massachusetts, Executive Office of Transportation, Massachusetts Highway Department a grant of funds known as the Route 3 North Land Conservation Grant Program to pay for all or part of the acquisition and associated costs, provided that the Board of Selectmen shall not acquire such property unless and until, the Town receives grants in the amount of at least \$400,000 for said acquisition.



UNDER ARTICLE 20. Dwight Hayward moved that the reading of this article be waived. The Moderator asked if there was any need to debate? Hearing none, he asked for a show of hands, motion carried, unanimously. Robert Morse, Chairman of the Preservation Committee said that the Committee's purpose is to implement the Preservation Act that was passed at April 2001 Town Election. The CPA provides a source of funding for open space preservation, historic preservation and affordable housing. He listed the committee members. David Hedison from the Housing Authority, Michael McCall from the Board of Selectmen, James Pearson DPW director, Andrew Sheehan Community Developer Coordinator, Linda Prescott from the Historic Commission, William Vines from Conservation., and two citizens at large, Robert Hall and Rebecca Markey. He read off the list of where the funding comes from. The Town passed a $\frac{1}{2}\%$ surcharge on a homeowners property tax bill after the first \$100,000 of assessed value is exempted, which is about \$8.50 per property. This surcharge will result in about \$150,000 a year raised in CPA funds. The State created a fund from Registry of Deeds filing fees. It is expected to raise 25 to 30 million per year. The State will match 100% in 2002 and 2003 and possibility in 2004. The money must be spent of open space preservation, historic preservation, and affordable housing. Each category must receive a minimum of 10% of CPA funds. The remaining 70% may split amongst the three categories as the town sees fit. The requirements are that every time an expenditure is made it must be voted on individually (just like the previous article 19). Red Wing Farm was at the top of the list. The Red Wing farm meets the preservation of open space goals. He listed the proposed projects that will be addressed at a later date possibly at the October Fall Town Meeting. He said that \$5,000 would be used to improve the parking at the Lime quarry on Littleton Road. They are recommending that \$10,000 is spent on preservation work at the Riverside Cemetery, it was established in 1841 and is still in use. Another purpose is to do a survey of the Middlesex Canal from Riverneck Road to Brickkiln Road. The Committee is working with Mass Power and the East Water Department on surveying the land, in order to obtain easements. Regarding affordable housing, David Hedison is requesting \$100,000 to be used towards the development of six units to the present Smith Street facility. There is \$300,000 available. The Finance Committee was in favor of the article. The Board of Selectmen was in favor of the article. Brian Latina spoke against the article. He felt that the figures keep changing since the pre-town meeting Town Counsel John Georgio explained that presently there is available \$300,000. It is a requirement that this vote be taken at this meeting in order to comply with State law. Only the \$5,000 for administrative expenses can be used at this time. Before any other monies can be dispersed, a separate vote for each item and the amount of money to be used is required. John Emerson moved the question to stop debate. The Moderator asked for a show of hands, he declared that the **motion carried by recognizing the 2/3's vote by-law**. The Moderator then asked for a vote on the article by way of a show of hands. **Motion carried**. The article reads as follows:

Selectman William F. Dalton moved that the Town vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2003 Community Preservation budget and to appropriate from the Community Preservation Fund:

\$5,000 to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2003;

and further to reserve for future appropriation the following amounts as recommended by the Community Preservation Committee:



\$70,000 for the acquisition, creation and preservation of open space excluding land for recreational use; provided, however, that the amount to be set aside for this purpose shall be reduced by the amount appropriated for the acquisition of Red Wing Farm pursuant to Article 19 of the 2002 Annual Town Meeting warrant;

\$60,000 for acquisition and preservation of historic resources; and

\$100,000 for the creation, preservation and support of community housing.

All other monies in the Community Preservation Fund shall remain undesignated until further recommendation by the Community Preservation Committee and action thereon by the Town Meeting.

UNDER ARTICLE 21. Matthew O'Brien moved that the Town vote to amend Section 195-3 of the Chelmsford Zoning By-Law, by rezoning from a CA Zone to a CD Zone, the land known as 245 Chelmsford Street, shown on Assessors Map 52 as Parcels 203-8, containing 19,500 square feet of land, more or less; situated on the southerly side of Chelmsford Street, and being shown as Lots 5 and 6 on a plan of land recorded with Middlesex North District Registry of Deeds at Book of Plans 39, Page 58.

Attorney Howard Hall represented the petitioner of the article Jean D'Arc credit union. The property is located at 245 Chelmsford Street which is adjacent to the Chelmsford Mall. Currently his client's property is zoned CA and banks are not allowed in this zone. His client wants to change the zone to CD, this zone allows banks. The Planning Board expressed concerns about the zoning change being allowed due to future businesses going on that site. Attorney Hall said that he has drafted a covenant which will put a lien on the property that only a bank or lending institution can go on the property. Nothing else listed in the CD zone would be allowed.. He showed a computerized picture of what the building would look like on the site. It would be a two story clapboard building. Parking located in the front. Drive-up window will be in the back of the building. Dennis Ready questioned why the parking lot wasn't located in the back? Attorney Hall said it's just the way the plans were drawn up. It could be changed if the Planning Board had any problems with it. A discussion took place. A number of representatives wanted more clarification about the CD zone. They expressed concern that the use schedule should be changed to allow banks in a CD zone. It was explained that there are some areas in Town that are zoned CD and a Bank would not fit in. The Moderator asked for the various board's recommendations. The Finance Committee recommended the article. The Board of Selectmen were in favor of the article. Pamela Armstrong Vice Chairman of the Planning Board, came forward and read the Board's recommendation: The Planning Board of the Town of Chelmsford held a public hearing on April 24, 2002 on the above-mentioned article after advertising a legal notice in the Lowell Sun on April 5 and 12, 2002. A copy of the advertisement was sent to all abutting municipalities and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. The Planning Board voted to recommend the zoning amendment to Town Meeting. The Planning Board's motion to recommend this article passed on a vote of 5 to 1. David McLachlan spoke against the article. Didn't agree with the zoning change. Thomas Fall wanted to know why the one person on the Planning Board voted against the change. The member felt that the propose building was too big for the lot. Glenn Thoren, Sam Poulten, Chris Garrahan, and George Zaharoolis all spoke in favor of the article. The Moderator asked if there was a need to hear further debate? Hearing none, he asked for a vote by way of a show of hands. The Moderator declared that **the motion carried by recognizing the 2/3's vote by-law.**

UNDER ARTICLE 22. Harold Matzkin moved that the Town vote to amend Section 195-5 of the Chelmsford Zoning By-Law to include a new line under Commercial uses which shall permit "Bakery not including on-premises retail sales" in a CB Zoning District.

Principal Use	District														
	RA	RB	RC	RM	CA	CB	CC	CD	CV	LA	IS	RMH	CX	P	OS
Bakery not including on-premises retail sales	N	N	N	N	N	Y	N	N	N	N	N	N	N	N	N

Attorney Peter Lawlor representing the Adie Corporation explained the article. This is to allow bakeries to operate in a CB zone. The site that his client is interested in is a building located on Parkhurst Road. Taylor Rental is located in front of the building and the Chelmsford Car Wash is next store. Currently the building houses a dance studio. This bakery would produce Dunkin Donut products and distribute them to their locations. There would be no resale involved. Marian Paresky questioned how many locations would this site service and what type of vehicles would be driven? Attorney Lawlor explained that this site would service approximately five sites. The trucks that will be used are actually vans. Marian Paresky expressed concern with the ongoing traffic problem of Smith Street and felt that a traffic survey should be conducted. The Manager explained that due to the Steadman Street bridge being closed because of the Route 3 construction the traffic is being diverted down Smith Street. A traffic survey would not give a true count at this time. Kathleen Turbridy asked if there are future plans on supplying to supermarkets? No just the Dunkin Donut facilities. The Finance Committee recommended the article. The Board of Selectmen were in favor of the article. Pamela Armstrong Vice Chairman of the Planning Board, came forward and read the Board's recommendation: The Planning Board of the Town of Chelmsford held a public hearing on April 24, 2002 on the above-mentioned article after advertising a legal notice in the Lowell Sun on April 5 and 12, 2002. A copy of the advertisement was sent to all abutting municipalities and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. The Planning Board voted to recommend the zoning amendment to Town Meeting. The Planning Board's motion to recommend this article passed on a vote of 6 to 0 with one abstaining. The Moderator asked if there was a need to hear further debate? Hearing none, he asked for a vote by way of a show of hands. The Moderator declared that **the motion carried by recognizing the 2/3's vote by-law**.

UNDER ARTICLE 23. The Town Manager said that this article was going to be withdrawn. It came to his attention that a notification procedure to the Planning Board wasn't completed. The article can not be addressed at this time, however, it will appear on the Fall Town Meeting warrant. The Moderator asked for a vote by way of a show of hands on the motion to withdraw, **motion carried unanimously**. The article read as follows: Town Manager Bernard F. Lynch moved that the Town vote pursuant to Massachusetts General Laws, Chapter 82, Section 21, that public conveyance and necessity require that a portion of the accepted way known as Scotty Hollow Drive as hereinafter described shall be discontinued and all public rights in any and all such portions of said streets, and/or town ways relative to said street shall be



henceforth discontinued and abandoned; said street is more particularly described as follows: That portion of Scotty Hollow Drive on a plan entitled "Proposed Discontinuance Parcel 'A', Town Meeting, 2002, on file in the Town Engineer's Office, and to transfer the care, custody, management, and control of such parcel of land to the Board of Selectmen to be held for the purpose of conveyance, and authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any, held by the Town in the above parcel of land located on the discontinued portion of said way/road, provided that said discontinuance shall not take effect until the Board of Selectmen has conveyed all rights, title and interest in said parcel, and the Town has entered into an indemnification agreement as required by chapter 82, section 24 of the general laws.

UNDER ARTICLE 24. Town Manager Bernard F. Lynch moved that the Town vote to transfer the proceeds of \$22,235.75 from the Insurance Account to replace a damaged police vehicle, in accordance with the provisions of Mass. General Law Chapter 44 S. 53.

The Town Manager explained that a police cruiser had been hit and was totaled. It needed to be replaced right away. The Town went ahead and purchased a cruiser. This is the reimbursement from the settled claim. The Finance Committee recommended the article. The Board of Selectmen were in favor of the article. The Moderator asked if there was a need to hear further debate? Hearing none, he asked for a vote by way of a show of hands, **motion carried unanimously.**

Before proceeding to the final article, the Moderator asked the Body to clean up their tables and reminded the Representatives that the Fall Town Meeting will be held on Monday October 21st.

UNDER ARTICLE 25. The Moderator announced that this article was going to be withdrawn. Evelyn Thoren Chairman of the School Committee, came forward and explained that the School Committee had been advised by Counsel that there was no need for this article. The Moderator asked for a vote by way of a show of hands on the motion to withdraw, **motion carried unanimously.** The article read as follows: Evelyn Thoren Chairman of the School Committee moved that the Town vote to accept the provisions of Mass. General Law Chapter 40, S. 22F which will authorize any board or officer of the Town that is empowered to issue a license, permit, certificate or to render services or perform work to establish reasonable fees for the same.

Samuel Poulten made a point or order. The Body was beginning to disperse from the hall when the Moderator announced that the meeting has not yet been adjourned. Samuel Poulten requested that an announcement be made. The Moderator explained that all general announcements are done at the beginning of a meeting. Samuel Poulten tried to describe the announcement when the Moderator ruled him out of order. He declared that he'd entertain a motion to adjourn, motion carried, unanimously. The meeting adjourned at 9:30 PM.

Dennis E. McHugh, Moderator

Mary E. St.Hilaire, Town Clerk

COMMONWEALTH OF MASSACHUSETTS
William Francis Galvin, Secretary of the Commonwealth

WARRANT FOR STATE PRIMARY

SS. MIDDLESEX

to either of the Constables of the Town of Chelmsford

GREETING:

the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in Primaries to vote at:

Precinct 1	Town Office Building Gym, 50 Billerica Road
Precinct 2	Harrington School Gym, 120 Richardson Road
Precinct 3	Harrington School Gym, 120 Richardson Road
Precinct 4	Westlands School Café, 170 Dalton Road
Precinct 5	Byam School Café, 25 Maple Road
Precinct 6	Westlands School Café, 170 Dalton Road
Precinct 7	McCarthy Middle School Little Gym, 250 North Road
Precinct 8	McCarthy Middle School Little Gym, 250 North Road
Precinct 9	Town Office Building Gym, 50 Billerica Road

on **TUESDAY, THE SEVENTEENTH DAY OF SEPTEMBER, 2002**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

to cast their votes in the State Primary for the candidates of political parties for the following offices:

U.S. SENATOR

GOVERNOR.....

T. GOVERNOR.....

ATTORNEY GENERAL.....

SECRETARY.....

TREASURER.....

AUDITOR.....

REPRESENTATIVE IN CONGRESS.....

COUNCILLOR.....

SENATOR IN GENERAL COURT.....

REPRESENTATIVE IN GENERAL COURT (Pcts. 3, 5 & 7)

REPRESENTATIVE IN GENERAL COURT (Pcts. 1 & 9)

REPRESENTATIVE IN GENERAL COURT (Pcts. 2, 6 & 8)

REPRESENTATIVE IN GENERAL COURT (Pct. 4).....

DISTRICT ATTORNEY.....

REGISTER OF PROBATE.....

FOR THE COMMONWEALTH
Fifth Congressional District
Third Councillor District
3RD Middlesex Senatorial District
2nd Middlesex District
14th Middlesex District
16th Middlesex District
17th Middlesex District
Northern District
Middlesex County

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting. Given under our hands this 13 day of August 2002.

William E. Spence

Thomas S. Moore

Selectmen of Chelmsford

Dee G. Gile-ger

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

Sept 3, 2002

Date

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westlands School Cafetorium, Yam School Cafetorium, Westlands School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, Town Office Building Gym, and Town Office Building Lobby.

Signed:

William E. Spence
William E. Spence, Constable

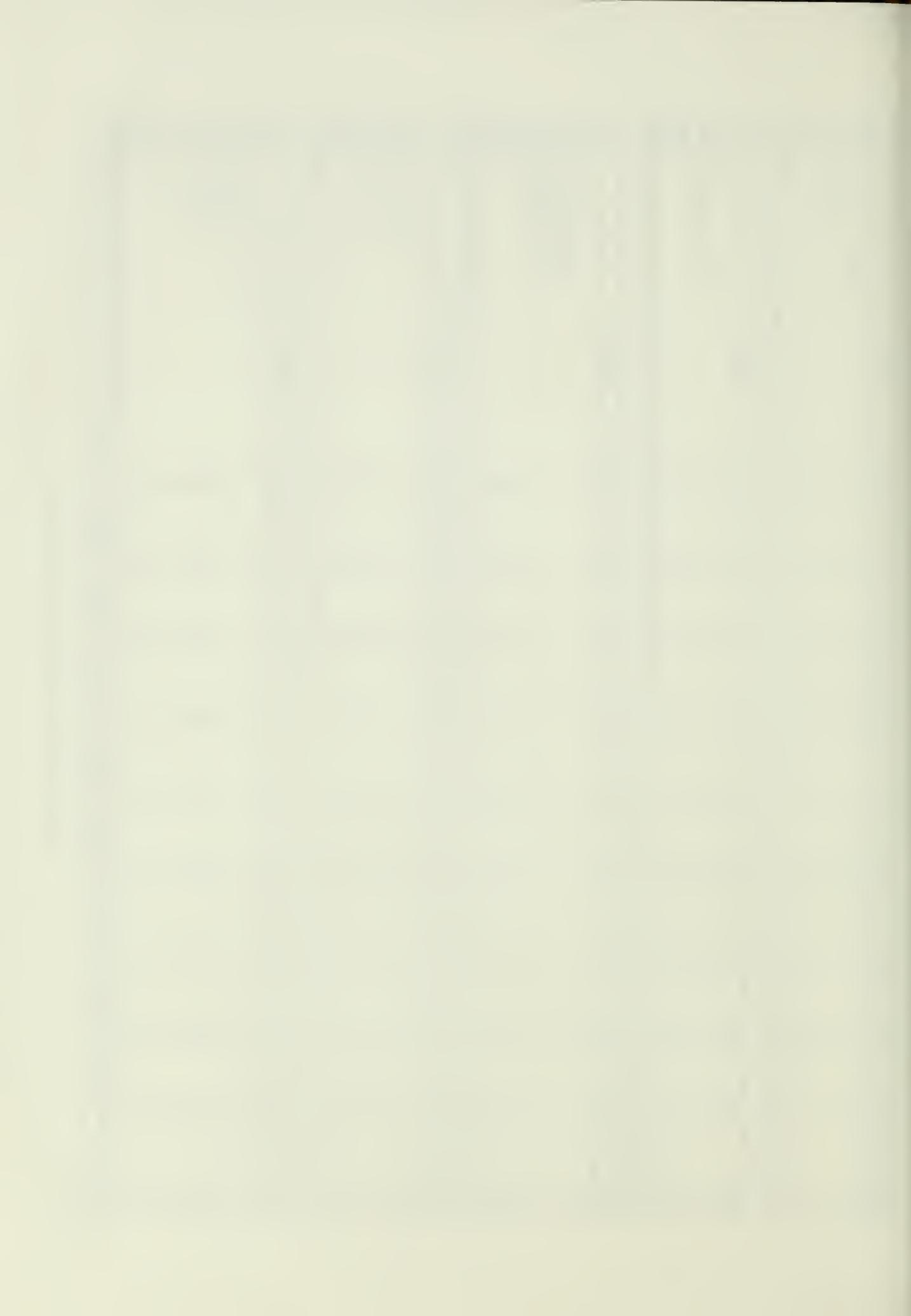
DEMOCRATIC STATE PRIMARY SEPTEMBER 17, 2002

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
SENATOR IN CONGRESS										
Blanks	66	32	73	75	45	73	77	67	53	561
Write-In	0	2	0	0	2	2	1	1	2	10
John F. Kerry	346	266	340	263	324	439	381	408	310	3077
Jack E. Robinson (write-in)	1	2	0	1	2	0	2	0	2	7
Misc	3	0	1	2	0	2	0	2	0	10
TOTAL	416	302	414	340	371	516	459	480	367	3665
GOVERNOR										
Blanks	2	0	5	11	5	6	5	4	7	45
Write-In	0	0	0	0	0	0	0	0	0	0
Thomas F. Birmingham	85	57	92	81	62	118	96	89	66	746
Steven Grossman	4	1	6	2	3	3	2	5	1	27
Shannon P. O'Brien	124	109	136	90	117	172	166	154	118	1186
Robert B. Reich	113	73	89	68	102	126	102	121	104	898
Warren E. Tolman	88	60	86	88	82	91	87	107	71	760
Mitt Romney (write-in)	0	2	0	0	0	1	1	0	0	3
TOTAL	416	302	414	340	371	516	459	480	367	3665
Lt GOVERNOR										
Blanks	39	25	47	43	39	51	58	34	34	370
Write-In	0	1	0	0	0	0	0	0	1	2
Christopher F. Gabrieli	168	120	175	119	147	220	170	210	132	1461
Lois G. Pines	106	87	123	110	131	152	143	139	137	1128
John P. Slattery	102	67	69	68	54	92	87	97	62	698
Jim Rappaport (write-in)	1	1	0	0	1	0	1	0	1	4
Misc	0	1	0	0	0	0	1	0	0	2
TOTAL	416	302	414	340	371	516	459	480	367	3665
ATTORNEY GENERAL										
Blanks	85	55	87	78	86	97	123	87	82	780
Write-In	1	0	0	0	2	2	3	1	1	10
Thomas F. Reilly	327	247	327	262	283	415	333	391	284	2869
Misc	3	0	0	0	2	0	0	1	0	6
TOTAL	416	302	414	340	371	516	459	480	367	3665
SECRETARY OF STATE										
Blanks	100	63	95	91	105	127	137	106	94	918
Write-In	1	0	0	0	1	0	0	1	3	3
William F. Galvin	314	239	319	248	265	387	321	374	272	2739
Misc	1	0	0	1	0	2	1	0	0	5
TOTAL	416	302	414	340	371	516	459	480	367	3665



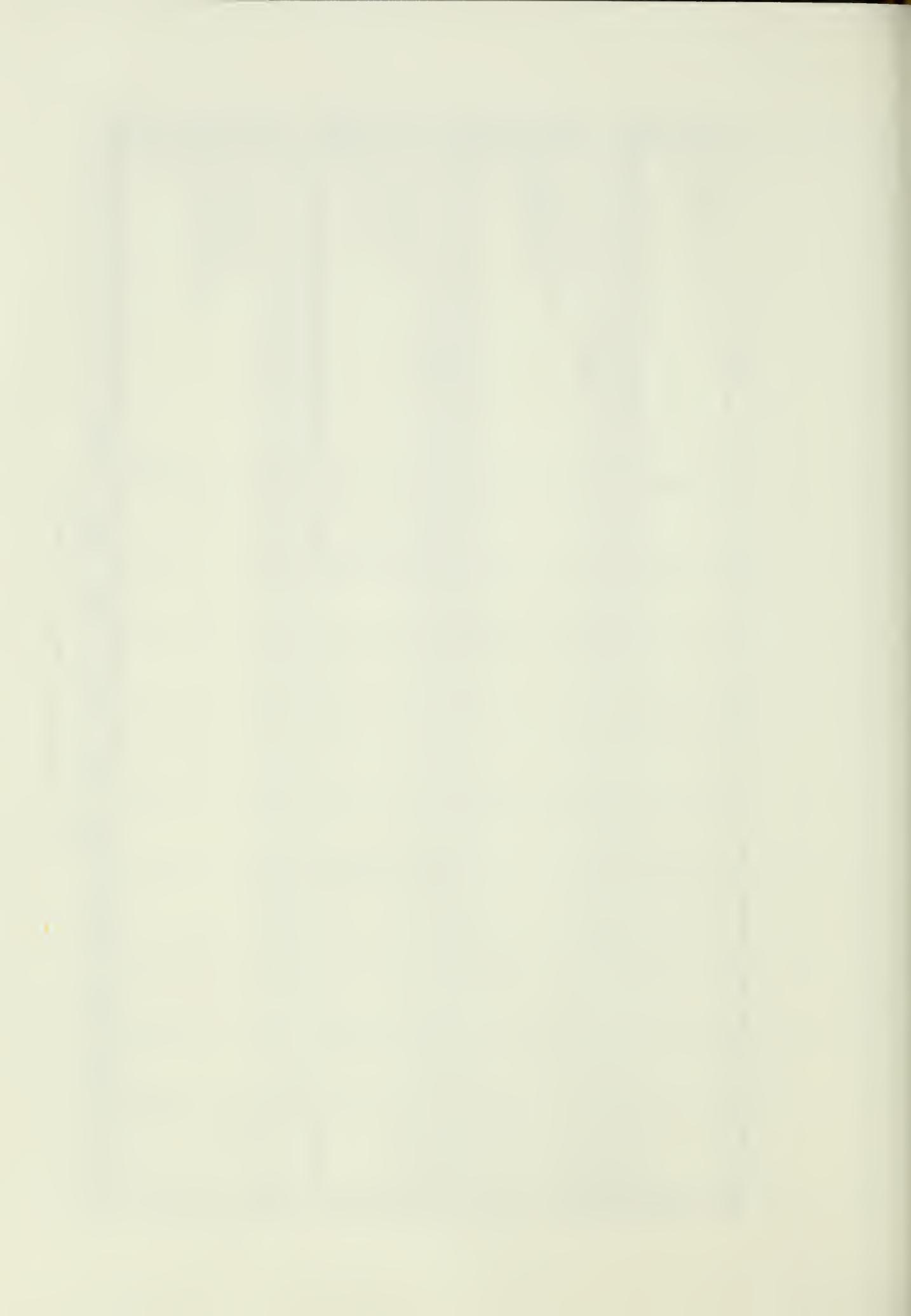
DEMOCRATIC STATE PRIMARY SEPTEMBER 17, 2002

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
TREASURER										
Blanks	76	29	64	54	57	60	83	57	63	543
Write-In	0	0	0	1	0	0	1	0	0	2
Michael P. Cahill	57	40	55	42	58	73	58	70	46	499
Timothy P. Cahill	146	138	170	127	125	185	161	183	156	1391
Stephen J. Murphy	66	40	68	53	47	92	67	78	39	550
James W. Segal	71	54	57	63	84	105	89	92	62	677
Daniel A. Grabauskas (write-in)									1	1
Misc									0	1
TOTAL	416	302	414	340	371	516	459	480	367	3665
AUDITOR										
Blanks	120	81	121	96	130	144	163	124	99	1078
Write-In	1	0	1	0	2	2	0	0	1	7
A. Joseph DeNucci	294	220	292	243	239	368	294	356	267	2573
Kamal Jain (write-in)										1
TOTAL	416	302	414	340	371	516	459	480	367	3665
REP IN CONGRESS 5TH Dist										
Blanks	86	52	101	89	80	100	111	86	85	790
Write-In	0	2	2	1	2	5	1	2	2	17
Martin T. Meenan	328	246	309	248	287	407	345	388	279	2837
Charles McCarthy (write-in)									1	2
Ilana Freedman (write-in)										1
Carol C. Cleven (write-in)										1
Misc										1
TOTAL	416	302	414	340	371	516	459	480	367	3665
COUNCILLOR 3rd District										
Blanks	145	101	147	135	147	189	199	148	131	1342
Write-In	1	0	0	0	1	0	0	0	1	3
Marilyn M. Pettitto Devaney	269	200	267	205	223	326	260	331	235	2316
Misc	1	1	0	0	0	1	0	1	0	4
TOTAL	416	302	414	340	371	516	459	480	367	3665
SENATOR IN GEN COURT 3rd Midsx Dist										
Blanks	105	64	98	94	92	127	128	95	94	897
Write-In	0	2	1	0	1	0	0	1	0	5
Susan C. Fargo	310	235	315	246	277	387	331	383	272	2756
Richard P. McCure (write-in)										1
Misc	1	1	0	0	1	2	0	1	0	6
TOTAL	416	302	414	340	371	516	459	480	367	3665



DEMOCRATIC STATE PRIMARY SEPTEMBER 17, 2002

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
REP IN GEN CT 14th Mdsx Dist Pct 1 & 9 only										
Blanks	128	X	X	X	X	X	X	X	125	253
Write-In	1	X	X	X	X	X	X	X	0	1
Cory Atkins	284	X	X	X	X	X	X	X	238	522
Thomas A. Golden, Jr. (write-in)	1									1
Richard P. McClure (write-in)	1									1
Carol C. Cleven (write-in)										1
Peter J. Unitt III (write-in)									1	1
Misc									2	3
TOTAL	1	X	X	X	X	X	X	X	0	367
REP IN GEN CT 16th Mdsx Dist Pct 2,6,8 only										
Blanks	X	73	X	X	X	113	X	102	X	288
Write-In	X	0	X	X	X	5	X	0	X	5
Thomas A. Golden, Jr	X	228	X	X	X	398	X	375	X	1001
Carol C. Cleven (write-in)		1						1		2
Misc		X	0	X	X	X	X	2	X	2
TOTAL	0	302	0	0	0	516	0	480	0	1298
REP IN GEN CT 2nd Mdsx Dist Pct 3,5,7 only										
Blanks	X	X	X	115	X	121	X	157	X	393
Write-In	X	X	X	1	X	2	X	0	X	3
Geoffrey D. Hall	X	X	X	297	X	247	X	301	X	845
Carol C. Cleven (write-in)				1						1
Thomas A. Golden Jr. (write-in)						1				1
Misc						X	1	X	X	1
TOTAL	0	0	0	414	0	371	0	459	0	1244
REP IN GEN CT 17th Mdsx Dist Pct 4 only										
Blanks	X	X	X	X	93	X	X	X	X	93
Write-In	X	X	X	X	0	X	X	X	X	0
David M. Nangle	X	X	X	X	246	X	X	X	X	246
Carol C. Cleven (write-in)					1					1
Misc	X	X	X	X	0	X	X	X	X	0
TOTAL	0	0	0	340	0	0	0	0	0	340



DEMOCRATIC STATE PRIMARY SEPTEMBER 17, 2002

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
DISTRICT ATTORNEY North Dist										
Blanks	98	62	85	90	90	115	124	80	90	834
Write-In	0	1	1	0	2	0	0	0	1	5
Martha Coakley	317	239	328	250	279	398	335	399	276	2821
Misc	1	0	0	0	0	3	0	1	0	5
TOTAL	416	302	414	340	371	516	459	480	367	3665
REGISTER OF PROBATE Mdsx City										
Blanks	77	45	67	57	90	88	107	70	76	677
Write-In	0	0	0	0	0	0	1	0	0	1
John R. Buonomo	89	59	82	46	71	83	94	106	81	711
Diane Poulos Harpell	70	40	59	52	90	81	99	88	64	643
Ed McMahon	180	158	206	185	120	264	158	215	146	1632
Misc	0	0	0	0	0	0	0	1	0	1
TOTAL	416	302	414	340	371	516	459	480	367	3665

REPUBLICAN STATE PRIMARY SEPTEMBER 17, 2002



REPUBLICAN STATE PRIMARY SEPTEMBER 17, 2002



REPUBLICAN STATE PRIMARY SEPTEMBER 17, 2002

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
REP IN GEN CT 2nd Mdsx Dist Pct 3,5,7 only										
Blanks	X	X	205	X	225	X	283	X	X	713
Write-In	X	X	0	X	0	X	1	X	X	1
Richard P. McClure (write-in)										
Carol C. Cleven										1
Misc										1
										1
										15
										15
										15
										15
TOTAL	0	0	209	0	233	0	289	0	0	731
REP IN GEN CT 14th Mdsx Dist Pct 4 only										
Blanks	X	X	X	X	X	X	X	X	X	77
Write-In	X	X	X	X	X	X	X	X	X	77
Clifford R. Krieger	X	X	X	X	X	X	X	X	X	0
Misc	X	X	X	X	X	X	X	X	X	109
										109
										109
										109
										109
TOTAL	0	0	0	186	0	0	0	0	0	186
DISTRICT ATTORNEY North Dist										
Blanks	285	132	206	183	225	276	285	279	290	2161
Write-In	1	0	0	0	0	1	1	0	0	3
Misc	9	4	3	3	8	10	3	7	11	58
										58
										58
										58
TOTAL	295	136	209	186	233	287	289	286	301	2222
REGISTER OF PROBATE Mdsx City										
Blanks	120	46	86	78	100	116	123	113	114	896
Write-In	0	0	0	0	0	0	0	0	0	0
John W. Lambert	175	90	123	108	133	171	166	173	187	1326
Misc	0	0	0	0	0	0	0	0	0	0
										0
										0
TOTAL	295	136	209	186	233	287	289	286	301	2222



LIBERTARIAN STATE PRIMARY SEPTEMBER 17, 2002

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
SENATOR IN CONGRESS										
Blanks	0	0	0	0	0	0	0	1	0	1
Write-In	0	0	0	0	0	0	0	0	0	0
Michael E. Cloud	5	2	1	2	2	2	0	5	1	20
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	5	2	1	2	2	2	0	6	1	21
GOVERNOR										
Blanks	0	0	0	0	0	0	0	1	0	1
Write-In	0	0	0	0	0	0	0	0	0	0
Carla A. Howell	4	2	1	2	2	2	0	5	1	19
Shannon O'Brien (write-in)	1	0	0	0	0	0	0	0	0	1
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	5	2	1	2	2	2	0	6	1	21
Lt. GOVERNOR										
Blanks	1	0	0	0	0	0	0	1	0	2
Write-In	0	0	0	0	0	0	0	0	0	0
Richard P. Aucoin	4	2	1	2	2	2	0	5	1	19
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	5	2	1	2	2	2	0	6	1	21
ATTORNEY GENERAL										
Blanks	5	2	1	2	2	2	0	6	0	20
Write-In	0	0	0	0	0	0	0	0	0	0
Thomas Reilly (write-in)	0	0	0	0	0	0	0	0	1	1
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	5	2	1	2	2	2	0	6	1	21
SECRETARY OF STATE										
Blanks	5	2	1	2	2	2	0	4	0	18
Write-In	0	0	0	0	0	0	0	0	0	0
Katherine Pirrello (write-in)	0	0	0	0	0	0	0	2	0	2
William Gaivin (write-in)	0	0	0	0	0	0	0	1	1	1
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	5	2	1	2	2	2	0	6	1	21
TREASURER										
Blanks	4	2	1	2	2	2	0	6	0	19
Write-In	1	0	0	0	0	0	0	0	1	2
Misc	0	0	0	0	0	0	0	0	0	0
TOTAL	5	2	1	2	2	2	0	6	1	21



LIBERTARIAN STATE PRIMARY SEPTEMBER 17, 2002

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
AUDITOR										
Blanks	0	0	0	0	0	0	0	3	0	3
Write-In	0	0	0	0	0	0	0	0	0	0
Kamal Jain	5	2	1	2	2	2	0	3	1	18
Misc	0	0	0	0	0	0	0	0	0	0
	TOTAL	5	2	1	2	2	0	6	1	21
REP IN CONGRESS 5TH Dist										
Blanks	0	0	0	0	0	0	0	1	0	1
Write-In	0	0	0	0	0	0	0	0	0	0
Ilana Freedman	5	2	1	2	2	2	0	5	1	20
Misc	0	0	0	0	0	0	0	0	0	0
	TOTAL	5	2	1	2	2	0	6	1	21
COUNCILLOR 3rd district										
Blanks	5	2	1	2	2	2	0	6	0	20
Write-In	0	0	0	0	0	0	0	0	0	0
Marilyn DeVaney (write-in)	0	0	0	0	0	0	0	0	1	1
Misc	0	0	0	0	0	0	0	0	0	0
	TOTAL	5	2	1	2	2	0	6	1	21
SENATOR IN GEN COURT 3rd Midsx Dist										
Blanks	5	2	1	2	2	2	0	6	0	20
Write-In	0	0	0	0	0	0	0	0	0	0
Susan C. Fargo (write-in)	0	0	0	0	0	0	0	0	1	1
Misc	0	0	0	0	0	0	0	0	0	0
	TOTAL	5	2	1	2	2	0	6	1	21
REP IN GEN CT 14 Midsx Dist Pct 1 & 9 only										
Blanks	5	X	X	X	X	X	X	X	0	5
Write-In	0	X	X	X	X	X	X	X	0	0
Cory Atkins (write-in)	0	0	0	0	0	0	0	0	1	1
Misc	0	0	0	0	0	0	0	0	0	0
	TOTAL	5	0	X	X	X	X	X	X	0
										6
REP IN GEN CT 16th Midsx Dist Pct 2,6,8 only										
Blanks	X	2	X	X	X	2	X	6	X	10
Write-In	X	0	X	X	X	0	X	0	X	0
Misc.	X	0	X	X	X	0	X	0	X	0
	TOTAL	0	2	0	0	0	2	0	6	0
										10
REP IN GEN CT 2nd Midsx Dist Pct 3,5,7 only										
Blanks	X	X	X	1	X	2	X	0	X	3
Write-In	X	0	X	X	X	0	X	0	X	0
Misc	X	0	X	0	X	0	X	0	X	0
	TOTAL	0	0	1	0	2	0	0	0	3



LIBERTARIAN STATE PRIMARY SEPTEMBER 17, 2002

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
REP IN GEN CT 17th Mdsx Dist Pct 4 only										
Blanks				X	X	0	X	X	X	0
Write-In				X	X	0	X	X	X	0
Eryk C. Boston				X	X	2	X	X	X	0
Misc				X	X	0	X	X	X	2
										0
TOTAL	0	0	0	2	0	0	0	0	0	2
DISTRICT ATTORNEY North Dist										
Blanks	5	2	1	2	2	0	6	0		20
Write-In	0	0	0	0	0	0	0	0		0
Martha Coakley (write-in)										1
Misc	0	0	0	0	0	0	0	0		0
TOTAL	5	2	1	2	2	0	6	1		21
REGISTER OF PROBATE Mdsx Cty										
Blanks	5	2	1	2	2	0	6	0		20
Write-In	0	0	0	0	0	0	0	0		0
Ed McMahon (write-in)										1
Misc	0	0	0	0	0	0	0	0		0
TOTAL	5	2	1	2	2	0	6	1		21

GREEN PARTY STATE PRIMARY SEPTEMBER 17, 2002

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
SENATOR IN CONGRESS										
Blanks	0	1	0	1	0	0	0	1	0	3
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
	TOTAL	0	1	0	1	0	0	0	1	3
GOVERNOR										
Blanks	0	0	0	0	0	0	0	0	0	0
Write-In	0	0	0	0	0	0	0	0	0	0
Jill E. Stein	0	1	0	1	0	0	0	0	0	3
Misc	0	0	0	0	0	0	0	0	0	0
	TOTAL	0	1	0	1	0	0	0	1	3
Lt. GOVERNOR										
Blanks	0	0	0	0	0	0	0	0	0	0
Write-In	0	0	0	0	0	0	0	0	0	0
Anthony F. Lorenzen	0	1	0	1	0	0	0	0	0	3
Misc	0	0	0	0	0	0	0	0	0	0
	TOTAL	0	1	0	1	0	0	0	1	3
ATTORNEY GENERAL										
Blanks	0	0	0	0	0	0	0	0	0	0
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	1	0	1	0	0	0	0	0	2
	TOTAL	0	1	0	1	0	0	0	1	3
SECRETARY OF STATE										
Blanks	0	0	0	0	0	1	0	0	0	2
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	1	0	0	0	0	0	0	0	1
	TOTAL	0	1	0	1	0	0	0	1	3
TREASURER										
Blanks	0	0	0	0	0	0	0	0	0	0
Write-In	0	0	0	0	0	0	0	0	0	0
James O'Keefe	0	1	0	1	0	0	0	0	0	3
Misc	0	0	0	0	0	0	0	0	0	0
	TOTAL	0	1	0	1	0	0	0	1	3
AUDITOR										
Blanks	0	0	0	1	0	0	0	1	0	2
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	1	0	0	0	0	0	0	0	1
	TOTAL	0	1	0	1	0	0	0	1	3

GREEN PARTY STATE PRIMARY SEPTEMBER 17, 2002

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
REP IN CONGRESS 5TH Dist										
Blanks	0	1	0	1	0	0	0	1	0	3
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
	TOTAL	0	1	0	1	0	0	1	0	3
COUNCILLOR 3rd District										
Blanks	0	1	0	1	0	0	0	1	0	3
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
	TOTAL	0	1	0	1	0	0	1	0	3
SENATOR IN GEN COURT 3rd Mdsx Dist										
Blanks	0	1	0	1	0	0	0	1	0	3
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
	TOTAL	0	1	0	1	0	0	1	0	3
REP IN GEN CT 14 Mdsx Dist Pct 1 & 9 only										
Blanks	0	X	X	X	X	X	X	X	0	0
Write-In	0	X	X	X	X	X	X	X	0	0
Misc	0	X	X	X	X	X	X	X	0	0
	TOTAL	0	0	0	0	0	0	0	0	0
REP IN GEN CT 16th Mdsx Dist Pct 2,6,8 only										
Blanks	X	1	X	X	X	X	0	1	X	2
Write-In	X	0	X	X	X	X	0	X	0	0
Misc	X	0	X	X	X	X	0	X	0	0
	TOTAL	0	1	0	0	0	0	1	0	2
REP IN GEN CT 2nd Mdsx Dist Pct 3,5,7 only										
Blanks	X	X	0	X	0	X	0	X	X	0
Write-In	X	X	0	X	0	X	0	X	X	0
Misc	X	X	0	X	0	X	0	X	X	0
	TOTAL	0	0	0	0	0	0	0	0	0
REP IN GEN CT 17th Mdsx Dist Pct 4 only										
Blanks	X	X	X	X	1	X	X	X	X	1
Write-In	X	X	X	X	0	X	X	X	X	0
Misc	X	X	X	X	0	X	X	X	X	0
	TOTAL	0	0	0	1	0	0	0	0	1

GREEN PARTY STATE PRIMARY SEPTEMBER 17, 2002

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	<u>TOTAL</u>
DISTRICT ATTORNEY North Dist										
Blanks	0	1	0	1	0	0	0	1	0	3
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
	TOTAL	0	1	0	1	0	0	1	0	3
REGISTER OF PROBATE Midsx Cty										
Blanks	0	1	0	1	0	0	0	1	0	3
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
	TOTAL	0	1	0	1	0	0	1	0	3

**WARRANT FOR ANNUAL
TOWN MEETING OCTOBER 21, 2002**

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the Town Meeting Representatives of said Chelmsford to meet in the Senior Center, Groton Road, North Chelmsford on Monday, the twenty-first of October, at 7:30 p.m. in the evening then and there to act upon the following articles, VIZ:

ARTICLE 1. To hear reports of the Town Officers and Committees; or act in relation thereto.

SUBMITTED BY: Board of Selectmen

ARTICLE 2. To see if the Town will vote to appropriate from Free Cash a certain sum of money to the Stabilization Fund; or act in relation thereto.

**SUBMITTED BY: Board of Selectmen
Town Manager**

ARTICLE 3. To see if the Town will vote to appropriate from Free Cash a certain sum of money to the School Department, said funding coming from Medicaid reimbursements; or act in relation thereto.

**SUBMITTED BY: Town Manager
School Committee**

ARTICLE 4. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money with which to pay bills of previous fiscal years; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 5. To see if the Town will vote to amend the Fiscal Year 2003 operating budget under Article 15 of the Annual Town Meeting held on April 29, 2000; and that the Town raise and appropriate or transfer a certain sum of money from Free Cash to defray such changes; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 6. To see if the Town will vote to transfer a certain sum of money from Special Revenue to the School Department, said funding coming from E-Rate reimbursements; or act in relation thereto.

SUBMITTED BY: **Town Manager**
School Committee

ARTICLE 7. To see if the Town will vote to raise and appropriate or transfer from available funds a certain sum of money to fund the Community Action Program established under Article 12 of the April 29, 1996 Annual Town Meeting. The purpose of this program shall be to provide matching funds to community improvement projects undertaken by individuals and/or organizations within the Town of Chelmsford; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 8. To see if the Town will vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sewer Easements in Chelmsford, Massachusetts, Livery Road/Chestnut Hill Area – Phase 4E Sewers" dated September 2002, a copy of which is on file in the office of the Town Engineer and is incorporated herein by reference, for the purpose of constructing and maintaining sewers, pumping stations, and all other appurtenances thereto; and to see if the Town will vote to raise and appropriate from the stabilization fund, transfer or appropriate from revenue sharing funds and/or borrow a certain sum of money to defray all necessary costs, fees, and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking; or act in relation thereto.

SUBMITTED BY: **Sewer Commission**

ARTICLE 9. To see if the Town will vote to amend the votes taken under Article 11 of the April 27, 1998 Town Meeting and Article 14 of the October 19, 1998 Annual Town Meeting and Article 23 of the October 18, 1999 Annual Town Meeting and Article 13 of the October 15, 2001 Annual Town Meeting to appropriate a certain sum of money, in addition to the sum of \$7,100,000 previously appropriated, for the purpose of designing, constructing and originally equipping a police station; and to determine whether this appropriation shall be raised by borrowing or otherwise; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 10. To see if the Town will vote to amend the action of Article 11 of the October 19, 1998 Annual Town Meeting accepting the provisions of G. L. c. 166, s. 22E relative to the removal and replacement of facilities by the Town under a cooperative agreement with the utility companies to facilitate the depression of overhead utilities in the Chelmsford Center area, by extending the limits of said area, as shown on a set of plans on file in the office of the Community Development Coordinator and incorporated herein by reference; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 11. To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain, or otherwise, properties located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans on file in the office of the Community Development Coordinator and incorporated herein by reference, for the purpose of locating manholes, transformers, switching gear, and other equipment necessary for the depression of utilities in the Chelmsford Center area, and to raise and appropriate a certain sum of money for said acquisitions; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 12. To see if the Town will vote to appropriate a certain sum of money from the Community Preservation Fund for the purpose of improving and restoring the Lime Quarry Reservation parking area, or act in relation thereto.

SUBMITTED BY: **Community Preservation Fund Committee**

ARTICLE 13. To see if the Town will vote to appropriate a certain sum of money from the Community Preservation Fund for the purpose of restoration work for the Riverside Cemetery, or act in relation thereto.

SUBMITTED BY: **Community Preservation Fund Committee**

ARTICLE 14. To see if the Town will vote to appropriate a certain sum of money from the Community Preservation Fund for a survey of the Chelmsford portion of the Middlesex Canal, from Brick Kiln Road to Riverneck Road for the purpose of the preservation and restoration of the canal, or act in relation thereto.

SUBMITTED BY: **Community Preservation Fund Committee**

ARTICLE 15. To see if the Town will vote to appropriate a certain sum of money from the Community Preservation Fund for use by the Chelmsford Housing Authority for the purpose of the creation of up to 6 new low-income elderly housing units, or act in relation thereto.

SUBMITTED BY: **Community Preservation Fund Committee**

ARTICLE 16. To see if the Town will vote to appropriate a certain sum of money from the Community Preservation Fund for use by the Chelmsford Housing Authority for the purpose of "buying down" to an affordable rate, a unit of housing at the Courtyard on Littleton Road, or act in relation thereto.

SUBMITTED BY: **Community Preservation Fund Committee**

ARTICLE 17. To see if the Town will vote, contingent upon passage of the Proposition 2 ½ Debt Exclusion on the November 5, 2002 election ballot, to raise and appropriate or borrow a certain sum of money for the purpose of completing the design and construction of Phase 1 of the Chelmsford Secondary Schools Building Project, which shall consist of the following: the renovation and expansion of the High School, the renovation and expansion of Parker Middle School, and the construction of a new McCarthy Middle School; or act in relation thereto.

SUBMITTED BY: **Secondary Schools Building Committee**

ARTICLE 18. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for a Special Act to read substantially as follows:

AN ACT RELATIVE TO CERTAIN SCHOOL CONSTRUCTION PROJECTS IN THE TOWN OF CHELMSFORD:

Notwithstanding the provisions of any general or special law to the contrary in order to implement its school building program, the Town of Chelmsford may, in addition to the prequalification requirements pursuant to section 44D of chapter 149 of the General Laws, establish and impose a requirement that only contractors and subcontractors with a worker's compensation experience modification factor, as promulgated by the workers compensation rating bureau, of 125% or less shall be eligible to submit a bid or offer; provided, however, that any contractor or subcontractor with a modification factor of up to 135% shall be eligible to submit a bid or offer, if that modification factor was caused by a single loss. The school building program of the Town of Chelmsford shall not be subject to the provisions of section 44F of chapter 149 of the General Laws. For the purposes of this act, the words "school building program" shall mean the design, construction and equipping of new schools within the Town of Chelmsford to accommodate students in grades five through grade twelve and the renovation or demolition of any structures at any of the existing sites of said schools.

The General Court may only make clerical or editorial changes of form to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court. The Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general objectives of this petition; or act in relation thereto.

SUBMITTED BY: **Board of Selectmen**

ARTICLE 19. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any held by the Town in a certain parcel of land on Eighth Avenue, shown as Lot 30 on Assessors's Map 18, Block 83 containing 1,330 square feet more or less, and more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 02153, Page 0300; or act in relation thereto.

SUBMITTED BY: **Board of Selectmen**

ARTICLE 20. To see if the Town will vote to amend Section 195-5 of the Town Code (Zoning Bylaw) and the Use Regulation Schedule therein referred, by amending the **USE REGULATION SCHEDULE, B. Exempt and Institutional, 2**, by adding thereto a Footnote which shall be numbered 13, which Footnote 13 shall read as follows:

"In an RA, RB and RC District, the footprint of a building or the portion thereof constructed on or after August 1, 2002, together with any building footprint existing prior to August 1, 2002, if any, used by a non-profit educational corporation for educational purposes, shall not exceed 2,500 square feet. The footprint of any building existing prior to August 1, 2002, is exempt from this restriction so long as it is not enlarged. As used in this paragraph, the term "footprint" shall mean the land area occupied by a building, at the surface of the ground, excluding open porches."

; or act in relation thereto.

SUBMITTED BY: **Petition**

ARTICLE 21. To see if the Town will vote to the following:

Section 1: Title

The establishment of a permanent committee under the authority and supervision of the Town Meeting of the Town of Chelmsford. Said Committee shall be known as the "THE RECOGNITION COMMITTEE"

Section 2 Purpose

The committee shall recognize, commemorate, memorialize and otherwise note, and acknowledge contributions, actions or activities made by residents, organizations and other entities from the Town of Chelmsford or to the Town of Chelmsford.

Section 3 Authority and Powers

The Committee may carry out its purpose through the issuance of awards, certificates, plaques or the naming of geographic sites, locations, features or dates. Such naming may be permanent or for a specified period of time.

The permanent naming of geographic sites, locations, or features or dates shall be subject to the ratification of the Town Meeting. Such items may be ratified as a specific warrant article submitted to the Board of Selectman for inclusion at any regular or special town meeting or during Committee Reports at any session of a regular or special town meeting. Such reports shall be in writing.

Nothing in this section shall diminish the authority of any other Department or Committee of the Town from performing its activities in the naming of streets or similar functions. If a dispute shall arise between this committee and any other entity of the Town such matters shall be brought before the Town Meeting for resolution by a vote of the elected Town Meeting Representatives.

Section 4 Membership.

Each Precinct of the Town shall select one member of its delegation to serve on the Committee. Such election shall be held within 30 days of the approval of this Bylaw. If a Precinct shall fail to select a member the Town Moderator shall appoint a member. Such member shall serve until an election is held or the term of office expires.

The Town Meeting Representatives shall serve for a period of three years or until they are no longer Members of the Town Meeting.

In order to provide a widespread representation on the Committee the following appointments shall also be made:

1. The Board of Selectman shall choose one of its members to serve for a period of one year.
2. The School Board shall choose one of its members to serve for a period of one year.
3. The Board of Directors of the Chelmsford Historical Society shall choose one of the members of its organization to serve for a period of one year.
4. A representative employee shall be chosen from each of the following: the School Department; Municipal Government; the Uniformed Public Safety Officers (police and fire) for a period of one year. Said appointments shall be made by the Town Moderator.
5. A member of the Active Reserves, National Guard or a current member of the armed forces of the United States and an honorably discharged Veteran of the United States Armed Forces. Said appointments shall be made by the Board of Directors of the Chelmsford Memorial Park, Inc. with the advice of the Town's Veteran Agent.
6. The Town Moderator shall appoint a Justice of the Peace who at the time of initial appointment is neither a Town Meeting Representative, Town Employee or former town employee. Said appointment shall be for 3 years and the individual selected shall serve as the chairman of the committee until it is organized, establishes rules as provided by this bylaw and elects a new chairman.
7. The Town moderator shall appoint three residents of the Town of Chelmsford who are neither Town Meeting Representatives or current employees or elected officials of the Town. One appointment shall be for 3 years, one appointment shall be for 2 years and the final appointment shall be for 1 year. Subsequent reappointments and appointments will be for 3 years.
8. The Town Manager shall appoint one town employee for a period of one year.

Section 5. Organization.

The Committee shall establish a set of rules of organization and operation. Said rules shall be submitted to the next meeting of the Town Meeting for adoption.

Section 6 Appropriations.

The Town Manager shall make provision in his budget to account for any appropriations the Town Meeting shall make to this Committee to accomplish its task.

Section 7. Other Sources of Funds.

The Committee is authorized to apply for grants and obtain funding as permitted and provided by law and/or custom. Such funds shall be maintained by the Town in an account for use by and under the direction of the Committee. Such funds shall remain permanently available to the Committee regardless of the fiscal year they were obtained, raised or appropriate, or act in relation thereto.

SUBMITTED BY: **Petition**

ARTICLE 22. To see if the Town will authorize filing of special legislation with the General Court of Massachusetts to exempt the position of Deputy Police Chief from the provisions of Chapter 31 of the General Laws as follows:

*An Act Exempting the Position of Deputy Police Chief of
Chelmsford from Civil Service*

Be it enacted by the General Court of Massachusetts,

Section 1. The position of deputy police chief in the Town of Chelmsford shall be exempt from the provisions of chapter thirty-one of the General Laws.

Section 2. The provisions of Section One shall not impair the civil service status of any person holding the position of deputy police chief in said town on the effective date of this act.

Section 3. This act shall take effect upon its passage.

The General Court may only make clerical or editorial changes of form to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court. The Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general objectives of this petition; or act in relation thereto.

SUBMITTED BY: **Town Manager
Police Chief**

ARTICLE 23. To see if the Town will vote to amend the Town of Chelmsford Code by adding the following proposed chapter:

Chapter 12, Annual Report

§ 12-1. Timeframe for printing.

The Town shall provide for the printing of the annual report pursuant to M.G.L. c. 40, § 49 on a fiscal-year basis within 90 days of the close of the fiscal year.

;or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 24. To see if the Town will vote pursuant to Massachusetts General Laws, Chapter 82, Section 21, that public conveyance and necessity require that a portion of the accepted way known as Scotty Hollow Drive as hereinafter described shall be discontinued and all public rights in any and all such portions of said streets, and/or town ways relative to said street shall be henceforth discontinued and abandoned; said street is more particularly described as follows: That portion of Scotty Hollow Drive on a plan entitled "Proposed Discontinuance Parcel 'A', Town Meeting, 2002, on file in the Town Engineer's Office, and to transfer the care, custody, management, and control of such parcel of land to the Board of Selectmen to be held for the purpose of conveyance, and authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any, held by the Town in the above parcel of land located on the discontinued portion of said way/road, provided that said discontinuance shall not take effect until the Board of Selectmen has conveyed all rights, title and interest in said parcel, and the Town has entered into an indemnification agreement as required by chapter 82, section 24 of the general laws; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 25. To see if the Town will vote to authorize the Board of Selectmen to convey in accordance with Massachusetts General Law Chapter 30B, for consideration to be determined, all right, title, and interest, if any held by the Town in all or a portion of a certain parcel of land on Mill Road, shown as Lot 113 on Assessors's Map 397, Block 4 containing 3.4 acres more or less, and more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 02906, Page 0246 ;or act in relation thereto

SUBMITTED BY: Board of Selectmen

ARTICLE 26. To see if the Town will vote to amend the Chelmsford Zoning Map by removing the following parcel of land from the Limited Industrial District and establishing the same as a Roadside Commercial District:

The land in Chelmsford, Middlesex County, Massachusetts situated on the Northerly side of Groton Road (Route 40) and being a portion Parcel A shown on the plan entitled "Plan of Land in Chelmsford & Westford Quarry, 275 Groton Road, North Chelmsford, MA 01863 by LandTech Consultants, Inc., Scale: 1" = 200' dated October 3, 2002 and recorded with Middlesex North Registry of Deeds in Plan Book 205, Plan 53, said portion being bounded and described as follows:

Beginning at a point on the northeasterly side of U.S. Route 3; thence

S 31° 24' 38" E a distance of twelve hundred feet (1200) to a point; thence

S 47° 20' 39" W a distance of three hundred twenty five and seventy eight hundredths feet (325.78) to a point; thence

S 47° 43' 49" W a distance of one hundred eighty eight and two hundredths feet (188.02); thence

S 10° 01' 19" E a distance of one hundred forty one and eighty four hundredths (141.84); thence

S 47° 38' 20" W a distance of three hundred twenty and eighty hundredths feet (320.80); thence

N 88° 01' 01" W the distance to the town line between Westford and Chelmsford a distance of approximately twenty five (25.00) feet; thence

Running northeasterly along the town line between Westford and Chelmsford a distance of approximately one thousand nine hundred and fifty feet (1,950.00) to a point; thence

N 56° 54' 08" E the distance from the town line between Westford and Chelmsford a distance of approximately two hundred and thirty seven feet (237.00) to the point of beginning on the northeasterly side of U.S. Route 3, or act in relation thereto.

SUBMITTED BY: **Petition**

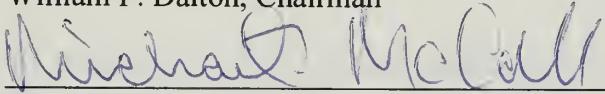
Hereof fail not and make return of this warrant with your doings at the time and place of said meeting.

Given under our hands this ²⁰ day of September, 2002.

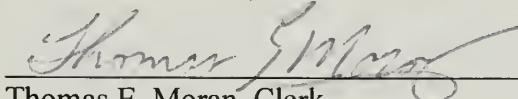
BOARD OF SELECTMEN OF THE TOWN OF CHELMSFORD



William F. Dalton, Chairman

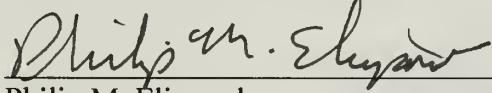


Michael F. McCall, Vice Chairman



Thomas E. Moran, Clerk

Stuart G. Weisfeldt



Philip M. Eliopoulos

NOTICE OF PROPOSED DATES
AND TIMES FOR CONTINUED SESSIONS OF THE
ANNUAL TOWN MEETING

The Board of Selectmen shall propose the following dates and times for continued sessions of the Town Meeting of October 21, 2002:

Thursday, October 24, 2002 at 7:30 p.m.

Monday, October 28, 2002 at 7:30 p.m.

Thursday, October 31, 2002 at 7:30 p.m.

If additional continued sessions are necessary they shall take place on the Monday and Thursday of the next consecutive week until the meetings are concluded.

Pursuant to General By-laws Article II, Section 4.10 Notice these dates and times are proposed and are subject to change by vote of the Town Meeting Representatives.

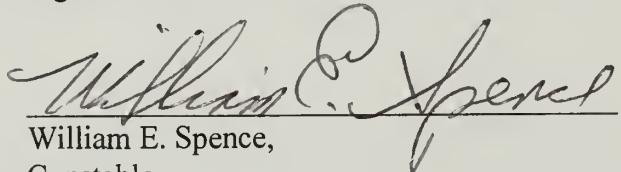
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

10-1-, 2002

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westlands School Cafetorium, Byam School Cafetorium, Westlands School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, Town Office Building Gym, and Town Office Building Lobby.

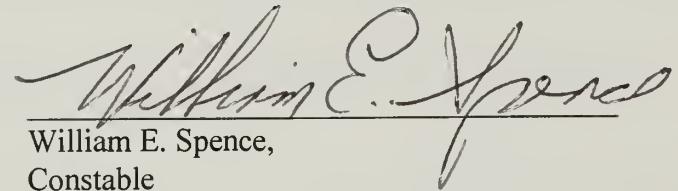
Signed:



William E. Spence,

Constable

A True Copy Attest,



William E. Spence,

Constable

ANNUAL TOWN MEETING
October 21, 2002

The Annual Town Meeting was called to order at 7:35 PM at the Senior Center. The Moderator Dennis E. McHugh recognized the presence of a quorum. There were 144 Town Meeting Representatives present. The Moderator pointed out the fire exits located in the room and then went over the rules and procedures of the meeting, regarding amending motions and discussions.

Selectman William F. Dalton moved that the reading of the Constable's return of the Annual Town Meeting warrant be waived. Motion carried, unanimously. Selectman William F. Dalton moved that the reading of the entire warrant be waived. Motion carried, unanimously.

The Moderator then pointed out to the Body that over the years that the personnel from the Town Clerk's Office who sit to his right has always been the same two people. However, beginning tonight, even though it is the same two people the positions have changed. He then introduced Betty Delaney as the new Town Clerk. The Body responded with a round of applause. He went on to further explain that Mary E. St. Hilaire has retired after 30 years as Town Clerk. He thanked Mary for all her work and years of attending Town Meeting and taking the minutes. The Body responded with a standing ovation and a round of applause.

The Moderator asked that the Body vote to allow Roel Krabbendom a non-resident, permission to speak and address the Body. He is the Project Manager from the Office of Michael Rosenfield and during the School Building project he will be called upon. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 1. Selectman William F. Dalton moved that the Town vote to hear reports of the Town Officers and Committees.

The Town Manager addressed the Body regarding the Town's financial future. While preparing the FY03's budget presentation, he projected the FY04 budget. Even though the FY03 budget was difficult to balance, he predicted that FY04 and 05 will be far more difficult. The State is in it's worse fiscal condition since WW2. It has a shortfall of \$3.5 million dollars. There is a structural deficit built into the FY04 State budget of 1.2 to 1.3 billion dollars, however, costs will drive that figure up to a 2 billion dollar deficit. This is going to reduce the State aide to the Town. He proceeded to go over the FY03 budget and explain where reductions were made through the departments. Presently, the Town has a balance budget, which will allow the tax rate to be set. In regards to the 2004 budget, there is going to be a 10% cut across the board in State aide. It has been projected that the Town will have \$1 million dollars in growth. All departments will be level funded. He predicted a shortfall of \$1.8 million dollars up to \$2.1 million dollars. The is due to the Town's assessed cost for retirement benefits will be increased because of loses in the stock market, and the cost in medical insurance is going to increase. All and all it is a bleak picture.

UNDER ARTICLE 2. Selectman William F. Dalton moved that the Town vote to appropriate \$400,000 from Free Cash to the Stabilization Fund.

The Manager explained that the article maintains the continuing goal of putting aside 5% of the operating budget. This enables the Town to receive a good bond rating. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if

there was any need to hear further discussion. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 3. Town Manager Bernard F. Lynch moved that the Town vote to appropriate \$188,444 from Free Cash to the School Department said funding coming from Medicaid reimbursements.

The Manager explained that this has become an annual fall town meeting article. The School Department collects money due to the Town from the Medicare program, which in turn is applied to their budget. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further discussion. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 4. Town Manager Bernard F. Lynch moved that the Town vote to appropriate \$13,705 from Free Cash to pay bills of previous fiscal years.

The Manager listed the bills to be paid. \$750. was for building renovation done in the Engineer's Office. \$1,517 was the Annual Town Report. \$11,438. was for utility work done regarding the Central Square engineering project. This project is due to start in a few weeks. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further discussion. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 5. Town Manager Bernard F. Lynch moved that the Town vote to amend the Fiscal Year 2003 operating budget under Article 15 of the Annual Town Meeting held on April 29, 2000 as follows:

Decrease Line Item #1 Municipal Administration Personnel	\$44,000
Decrease Line Item #12 Community Services Personnel	\$50,000
Increase Line Item # 16 Undistributed Expenses	\$370,000
Payment of Court Judgements	\$477,246

and that the Town transfer \$847,246 from Free Cash to defray such charges.

The Manager explained the reductions and increases. Item #1 was reductions made in the Town Clerk and Assessor's personnel. Item #12 is due to re-organization of the Board of Health. Item#16 increase is due to the early retirement program accepted by the Town this is the amount needed to pay for retiring employee's sick time by back. Items # 16 are for settlements for lawsuits regarding the School Department and Chelmsford Country Club. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further discussion. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 6. Town Manager Bernard F. Lynch moved that the Town vote to transfer \$66,734 from Special Revenue to the School Department, said funding coming from E-Rate reimbursements.

The Manager explained that this is an annual article, but will change next year. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The



Moderator asked if there was any need to hear further discussion. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously**.

UNDER ARTICLE 7. Town Manager Bernard F. Lynch moved that the Town vote to appropriate \$10,000 from Free Cash to fund the Community Action Program established under Article 12 of the April 29, 1996 Annual Town Meeting. The purpose of this program shall be to provide matching funds to community improvement projects undertaken by individuals and/or organizations within the Town of Chelmsford.

The Manager explained that this was a State program from Colorado that the Town copied and has been proven to be very successful. It is seed money for start up projects that organizations or neighborhoods apply for. This enables these groups to make improvements to various areas of the Town regarding playgrounds, parks etc. He listed the completed projects and said that despite hard times this is an important article to fund and asked for support. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further discussion. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously**.

UNDER ARTICLE 8. John Emerson moved that the Town vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sewer Easements in Chelmsford, Massachusetts, Livery Road/Chestnut Hill Area – Phase 4E Sewers" dated September 2002, a copy of which is on file in the office of the Town Engineer and is incorporated herein by reference, for the purpose of constructing and maintaining sewers, pumping stations, and all other appurtenances thereto.

Chairman of the Sewer Commission, John Emerson explained that this is for contract # 200-001. It is a standard article. The commission has had forty other projects funded this way. Claire Jeannotte questioned when the cost for the project would be available. John Emerson replied in the springtime. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further discussion. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously**.

UNDER ARTICLE 9. Town Manager Bernard F. Lynch moved that the Town vote to supplement the amounts previously appropriated under Article 11 of the April 27, 1998 Town Meeting and Article 14 of the October 19, 1998 Annual Town Meeting and Article 23 of the October 18, 1999 Annual Town Meeting and Article 13 of the October 15, 2001 Annual Town Meeting to appropriate \$90,000 from Free Cash, in addition to the sum of \$7,100,000 previously appropriated, for the purpose of designing, constructing and originally equipping a police station.

The Manager explained that this is the final amount needed for the new Police Station project. This will be a state of the art facility. Originally he had put aside \$150,000. for contingency items. However, the Energy Code has changed in Massachusetts since the project had been bided out and \$80,000 has to be spent to meet the new code, and there were site related issues that had to be addressed. This article will allow the project to be completed. The total cost of the project is \$7.2 million dollars. He said that it is an outstanding project and asked for support. George Ripsom questioned the cost of the Energy Code. The Finance Committee recommended the article. The Selectmen recommended the article. A discussion took place. John Wilder said that this project is

project is different from the one originally voted and asks that the Body vote against it. It was questioned what would happen if the Energy Code requirements weren't met? A stop work order would be issued and the project would be delayed. Numerous questions were asked about the project. Kathryn Fisher and Dennis Ready spoke in favor. James Hickey spoke against. The Moderator asked if there was any need to hear further debate? A hearing none he asked for a show of hands **Motion carried.**

UNDER ARTICLE 10. Town Manager Bernard F. Lynch moved that the Town vote to amend the action of Article 11 of the October 19, 1998 Annual Town Meeting accepting the provisions of G. L. c. 166, s. 22E relative to the removal and replacement of facilities by the Town under a cooperative agreement with the utility companies to facilitate the depression of overhead utilities in the Chelmsford Center area, by extending the limits of said area, as shown on a set of plans on file in the office of the Community Development Coordinator and incorporated herein by reference.

The Manager explained that this is to extend the area of the originally approved plan. Brian Latina asked what the was cost. The Manager said that 2% of the monthly phone and electrical utility goes into a fund that will pay for this project. The whole project is estimated to cost \$4.5 million dollars. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear any further discussion. Hearing none he asked for a vote by way of a show of hands, **motion carried.**

UNDER ARTICLE 11. Town Manager Bernard F. Lynch moved that the Town vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain, or otherwise, properties located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans on file in the office of the Community Development Coordinator and incorporated herein by reference, for the purpose of locating manholes, transformers, switching gear, and other equipment necessary for the depression of utilities in the Chelmsford Center area, and to appropriate \$10,000 from Free Cash for said acquisitions.

The Manager explained that due to the project being done in right of ways there will be occasions where the Town may need to take small portions of land. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further discussion. Hearing none he asked for a vote by way of a show of hands. The Moderator declared that the **motion carried**, by recognizing the 2/3's vote by-law.

UNDER ARTICLE 12. Michael McCall moved that the Town vote to appropriate \$10,000 from the Community Preservation Fund Open Space Reserve for the purpose of improving and restoring the Lime Quarry Reservation parking area.

Robert Morse, Chairman of the Community Preservation Fund Committee, explained the article. This article fills the requirement of preserving open space. This would improve the entranceway to the Lime Quarry located on Littleton Rd Rt 110. The funds would be used to redefine and improve the parking area. This 64 acre site is the former location of lime quarries and kilns dating back as far as 1736. The area, due to its unique geology, supports a number of locally uncommon plants, which are found only in areas of high pH, as exist in limestone. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further discussion. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 13. Michael McCall moved that the Town vote to appropriate \$10,000 from the Community Preservation Fund Historic Preservation Reserve for the purpose of restoration work for the Riverside Cemetery.

Robert Morse, Chairman of the Community Preservation Fund Committee, explained the article. This article fills the requirement of historic preservation. The Cemetery is in need of preservation work. It was established in 1841 and contains headstones carved out of white marble slate. Mature trees are leaning into roads or over historic grave markers and need to be addressed. Also the granite curbing retaining walls along the hillside overlooking family plots need to be stabilized. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further discussion. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

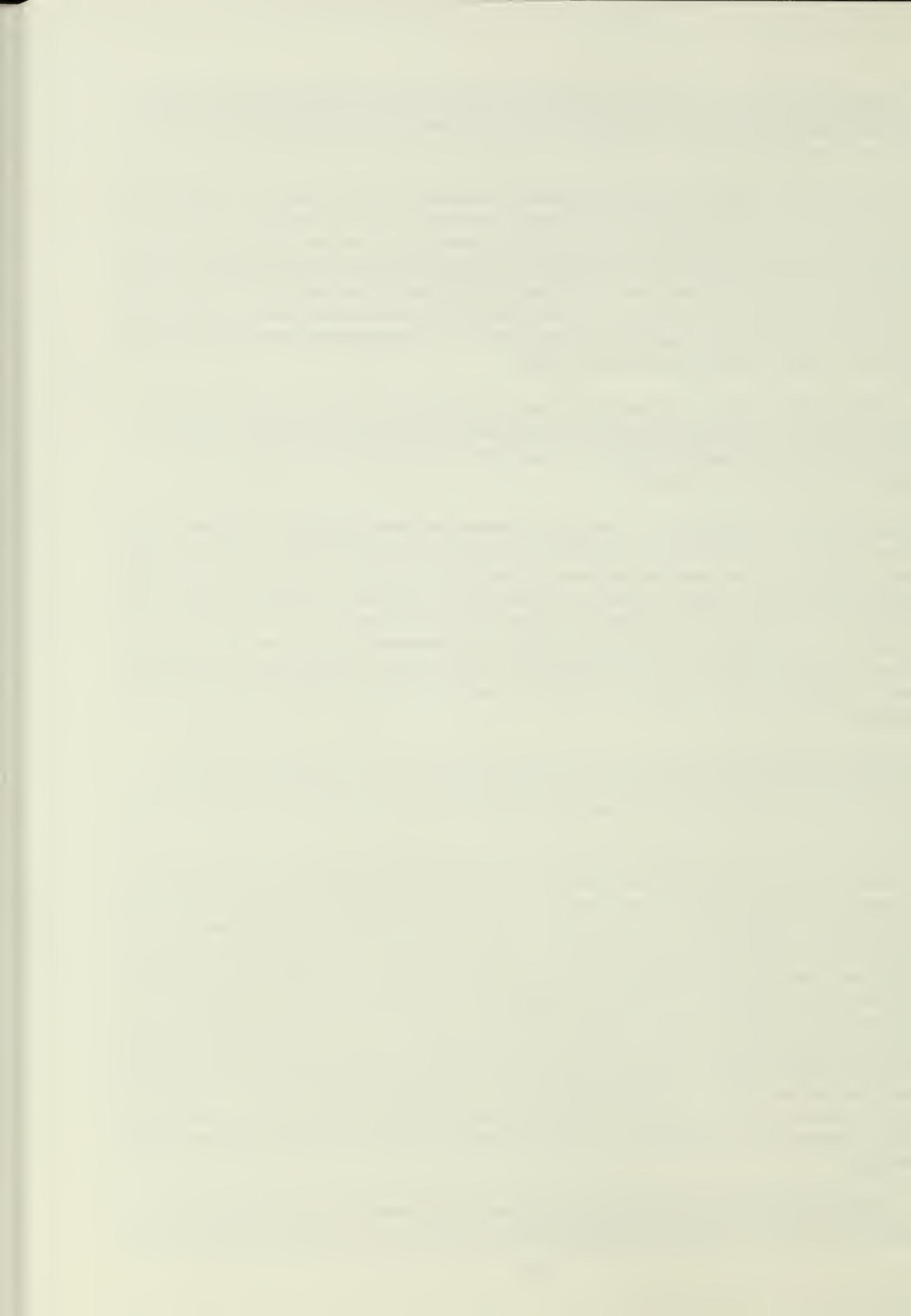
UNDER ARTICLE 14. Michael McCall moved that the Town vote to appropriate \$10,000 from the Community Preservation Fund Historic Preservation Reserve for a survey of the Chelmsford portion of the Middlesex Canal, from Brick Kiln Road to Riverneck Road for the purpose of the preservation and restoration of the canal.

Robert Morse, Chairman of the Community Preservation Fund Committee explained that the East Water District and Ma Electric have offered and easement over the existing one mile area of the Middlesex Canal. This canal was used between the years 1793 and 1853 it was the first of it's kind built in the United States. In order to preserve what is left of the canal and the towpath, a survey must be conducted and recorded with the Middlesex County Registry of Deeds. This would allow future access without any problems. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further discussion. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 15. Michael McCall moved that the Town vote to appropriate \$100,000 from the Community Preservation Fund Community Housing Reserve for use by the Chelmsford Housing Authority for the purpose of the creation of no fewer than 6 new low-income elderly housing units.

Robert Morse, Chairman of the Community Preservation Fund Committee explained that this article meets the requirements of affordable housing. He introduced David Hedison, Executive Director of the Chelmsford Housing Authority and member of the committee and said that David would further explain this article and article 16. The funding would be a portion of the funds needed by the Chelmsford Housing Authority to build at least six more units of elderly housing. This is to be done at the Smith Street site, which may change if more units can be built at a reasonable cost at another location. Now that the complex is seweried, the units will be built where the old septic system was located. The total estimated cost for the project is \$856,000. The rest of the funding will come from other sources. The sale of property that CHA owns at 34 Middlesex Street, the Dept of Housing and Community Development and private contributions from the developers of Wayside. There will be no additional cost to the Town. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further discussion. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 16. Robert Morse, Chairman of the Community Preservation Fund Committee, moved that the Town vote to appropriate \$20,000 from the Community Preservation Fund



balance for use by the Chelmsford Housing Authority for the purpose of “buying down” to an affordable rate, a unit of housing at the Courtyard on Littleton Road.

David Hedison explained that there only 41 units of affordable housing left at the Courtyard complex (360 Littleton Rd). When the deed writers were written in the 1980's they were written incorrectly. The units are not protected as affordable units and are sold at current market price. Every unit that is lost is removed from the Authority's inventory and must be recreated somewhere else. Units go on the market without the Authority having the right of first refusal. He further explained the formula that is calculated by the State regarding the resale price. The State guidelines for an affordable unit is a total income of up to \$54,000 for a family of four. The State is willing to grant a soft second loan of \$20,000 the CHA would then place a restriction on the deed, which would keep the unit listed as an affordable unit. Dennis Ready questioned how many units were lost at the courtyard. There were seven units. Marion Paresky questioned if these units are owner occupied. In the past they weren't but now they are checked and certified yearly that they are. She felt that the State should be paying for this correction. Sam Poulten questioned if there were other affordable complex's in Town? Yes there are, Dekar Dr and Lamplighter Green. How many of those deeds were written wrong. None. Why is that? Because of the deed writers. The language is stronger. David Hedison explained that the soft second loan would not be limited to the purchasing of affordable units. Once it is granted it could be used by any qualified person to purchase any type of home in Town. Brian Latina questioned the preservation source of the funding, does it come from taxes? Robert Morse explained that this fund is funded through a surcharge added to the recording of real estate deeds. George Merrill questioned if the units were currently on the Town's current tax role. David Hedison said that any units that did not have the correct wording on their deeds are paying taxes based on the full current assessed value. The Finance Committee recommended the article. The Board of Selectmen recommended the article. Dennis Sheehan questioned if this buying down program article is voted for the one unit, then does this mean that the soft second loan program could be used for other properties and qualify the Town for more affordable housing. Yes it would. Sam Poulten spoke in favor of the article. He felt that the State should be held responsible and repay the Town. The Moderator asked if there was any need to hear further discussion. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 17. Dwight Hayward moved that the reading of the article be waived. The Moderator asked for a show of hands, motion carried.

Dean Carmeris Chairman of the Secondary School Building Committee made a detail forty-five minute presentation to the Body. He explained that the Committee's role was to select an architect and implement the recommendations of the Building Needs Committee. The SSBC was to produce a set of schematic plans and a cost estimate for the Town voters to vote on. He went over why the project is needed, and spoke about the three schools involved (Parker, McCarthy Middle Schools and the High School) and the flaws of each school. The SSBC recommended that the McCarthy be rebuilt to accommodate 900 students, the Parker be expanded 40,000 sq ft, to accommodate 900 students. And the High School be renovated and expanded 100,000 sq ft, to accommodate 1800 students and provided an auditorium. After soliciting two independent estimates, the SSBC estimated the cost to be \$110 million which includes a \$200,000. contingency fund. With a State reimbursement of 60-65% the total cost would be \$38.5 to \$44 million. This cost is based on ballot approval at the November 5th State election, which will then allow submission to the School Building Assistance bureau by their June 2003 deadline. Construction could begin in October of 2003. Any delay in the project would result in a compounded inflation effect of 1% per quarter. He then went over the tax impact. Based on a home being valued as \$250,000 the increase would be less than \$230. Per year for 25 years. He then entertained questions from the Body. Richard Johnson commended the Committee for all the



time and work that the members have contributed. He then asked if the cost of razing the McCarthy included in the \$112,255,000? No it was not, and would not be added until 2008. The Committee felt it was better to keep this cost out of the project. Robert Joyce wanted to know if there was any type of tax break allowed for senior citizens. There is a program called Circuit Breaker, it is a rebate program, that after meeting the guidelines, a senior citizen could apply for. He explained that senior citizens who are property owners may claim a credit equal to the amount by which their property tax payments in the current tax year exceed 10% of their total income for the current tax year. In addition, taxpayers residing in communities that do not include water and sewer debt service in their property tax assessments may claim 50% of the water and sewer charges actually paid during the tax year when figuring their credit. The maximum credit allowed for 2002 is \$750. Senior citizens who are renters may claim as a credit the amount by which 25% of their annual rental payment exceeds 10% of their total income. The maximum credit allowed for 2002 is \$750. Steve Flynn, George Ripsom asked questions about the project. The Moderator asked for the various boards' recommendations. The Finance Committee was in favor of the project, they felt it was in the best interest of the Town. The Board of Selectmen was unanimously in favor of the article. A lengthy discussion followed. A number of Representatives spoke in favor and against the article. Shaun Saber moved the question to stop debate. The Moderator asked if there was any discussion. Some of the Representatives felt that the motion was out of order because Shaun made a statement prior to asking to move the question. The Moderator declared that the motion was not out of order and asked for a vote by why of a show of hands. This left the Chair in doubt. The Moderator asked for the tellers to conduct a hand count. Dorothy Frawley, John Melaski, Patricia Plank, and Lucy Simonean came forward, and a hand count was taken: **Yes 82 No 52 89 is 2/3's the motion is defeated.**

More Representatives spoke for and against the article. Robert Joyce moved to adjourn the meeting to 7:30 PM, Thursday October 24th. The Finance Committee was against the motion. The Board of Selectmen was against the motion. The Moderator asked for a show of hands on the motion to adjourn, this left the Chair in doubt. He asked for the tellers again to come forward and take a hand count. The result was: **Yes 43 No 84 the motion was defeated.** The meeting continued. More Representatives spoke in favor of the article. Christopher Garraghan moved the question to stop any further debate. The Moderator asked for a show of hands. The Moderator declared that the **motion carried, by recognizing the 2/3's vote by-law.** Arthur Carmen made a point of order. He requested that the Moderator conduct a roll call vote. The Moderator said that the by-law requires forty or more Representatives must be in favor of conducting a roll call vote. The Moderator asked for a show of hands of those who were in favor of a roll call vote. He said that he didn't see forty Representatives in favor. Arthur Carmen asked for an actual hand count. The Moderator called the tellers to come forward, he asked for all Representatives in favor to raise their hands. He instructed the tellers to count the raised hands, there were **twenty-nine in favor, the motion is defeated.** The Moderator asked for a vote by way of a show of hands on the article as presented.. The Moderator declared that the **motion carried, by recognizing the 2/3's vote by-law.** The article reads as follows:

Dean Carmeris, Chairman of the Secondary School Building Committee, moved that the Town vote to appropriate \$112, 255,000 for the purpose of completing the design and construction of Phase 1 of the Chelmsford Secondary Schools Building Project, which shall consist of the renovation and expansion of the High School, the renovation and expansion of Parker Middle School, and the construction of a new McCarthy Middle School, including with respect to all such schools original equipment and related site improvements; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$112,255,000 under Chapter 44 of the General Laws or Chapter 70B of the General Laws or any other enabling authority; and that the Secondary Schools Building Committee is authorized to take any other action necessary to carry out this project; provided, however, that this vote shall not take effect until the Town votes to exempt from

the limitation on total taxes imposed by G.L. c.59, §21C (Proposition 2½) amounts required to pay the principal of and interest on the borrowing authorized by this vote.

The Moderator declared that the meeting is adjourn, and that the Representatives are to return to the Senior Center at 7:30 PM on Thursday October 24, 2002. The meeting adjourned at 12:00 AM.

Dennis E. McHugh, Moderator

Elizabeth L. Delaney, Town Clerk



ANNUAL TOWN MEETING
October 24, 2002

The Annual Town Meeting was called to order at 7:35 PM at the Senior Center. The Moderator Dennis E. McHugh recognized the presence of a quorum. There were 144 Town Meeting Representatives present. The Moderator announced that there has been a change of membership on the Finance Committee. Clare Jeannotte and William Carey chose not to be re-appointed. He thanked them for all their countless hours of work. He then introduced two new members John Coleman and John Thibault. The Body responded with a round of applause.

UNDER ARTICLE 18. Dwight Hayward moved to waive the reading of the article. The Moderator asked for a show of hands, motion carried.

The Town Manager explained that this is in conjunction with the previous article. This ties in with the State bidding law. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further discussion. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.** The article reads as follows:

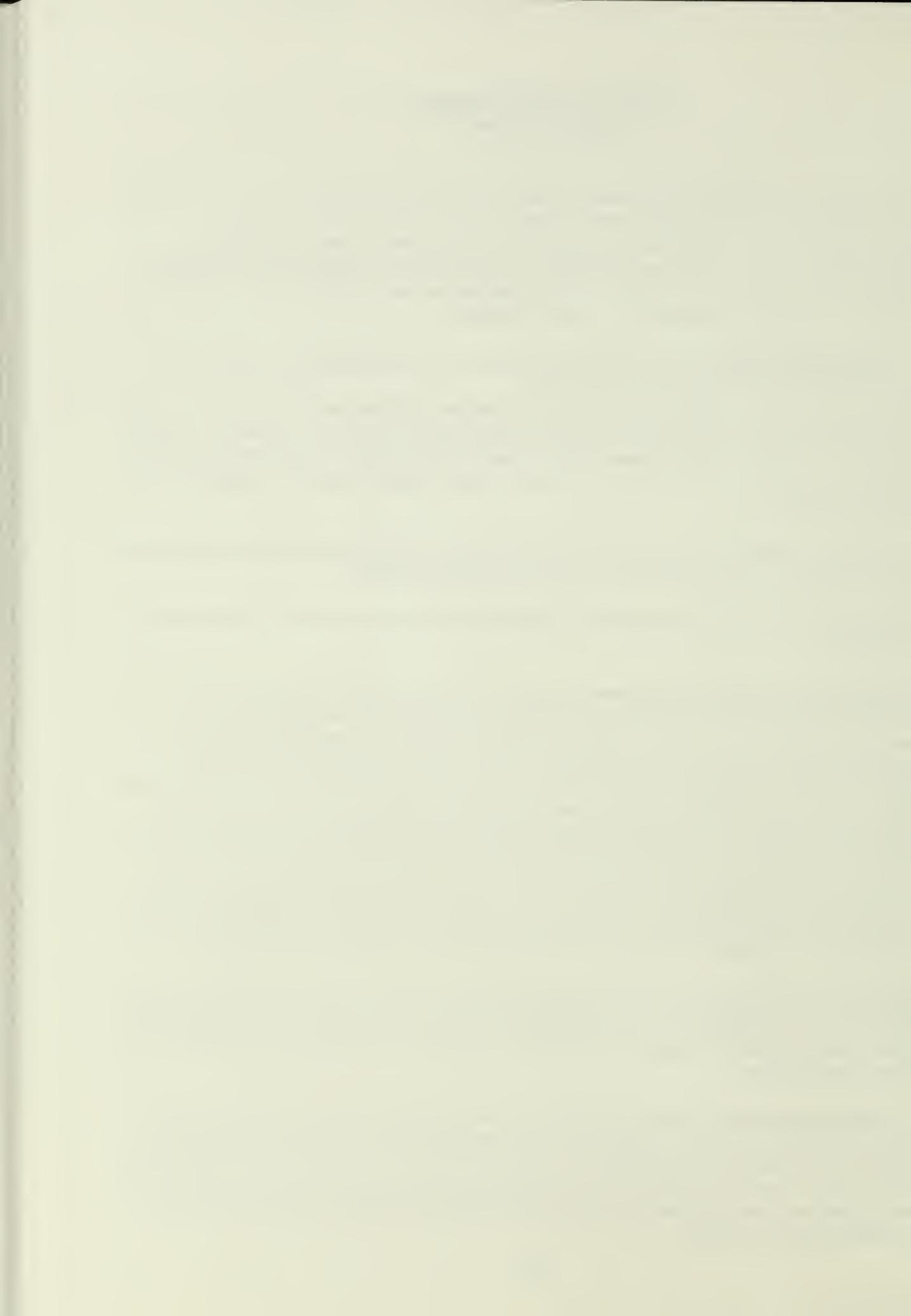
Selectman William F. Dalton moved that the Town vote to authorize the Board of Selectmen to petition the General Court for a Special Act to read substantially as follows:

AN ACT RELATIVE TO CERTAIN SCHOOL CONSTRUCTION PROJECTS IN THE TOWN OF CHELMSFORD:

Notwithstanding the provisions of any general or special law to the contrary in order to implement its school building program, the Town of Chelmsford may, in addition to the prequalification requirements pursuant to section 44D of chapter 149 of the General Laws, establish and impose a requirement that only contractors and subcontractors with a worker's compensation experience modification factor, as promulgated by the workers compensation rating bureau, of 125% or less shall be eligible to submit a bid or offer; provided, however, that any contractor or subcontractor with a modification factor of up to 135% shall be eligible to submit a bid or offer, if that modification factor was caused by a single loss. The school building program of the Town of Chelmsford shall not be subject to the provisions of section 44F of chapter 149 of the General Laws. For the purposes of this act, the words "school building program" shall mean the design, construction and equipping of new schools within the Town of Chelmsford to accommodate students in grades five through grade twelve and the renovation or demolition of any structures at any of the existing sites of said schools.

The General Court may only make clerical or editorial changes of form to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court. The Board of Selectmen is hereby authorized to approve amendments, which shall be within the scope of the general objectives of this petition.

UNDER ARTICLE 19. Selectman William F. Dalton moved that the Town vote to authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any held by the Town in a certain parcel of land on Eighth Avenue, shown as Lot 30 on Assessors's Map 18, Block 83 containing 1,330 square feet more or less, and more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 02153, Page 0300.



The Town Manager explained that this is Town owned land that had been taken for back taxes. It is 1300 sq ft and is not a buildable lot. An abutter to the property wants to purchase the land and extend their lot. This must go through the bid process and Town Meeting vote is required. John Wilder questioned the assessed value. The value is \$4,300. Dennis Sheehan wanted to know if it was combined with the abutter's lot could the land be subdivided and built on? The Town Manager said that wording would add saying it could not be subdivided once joined. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further discussion. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 20. Matthew O'Brien moved that the Town vote to amend Section 195-5 of the Town Code (Zoning Bylaw) and the Use Regulation Schedule therein referred, by amending the **USE REGULATION SCHEDULE, B. Exempt and Institutional, 2**, by adding thereto a Footnote which shall be numbered 13, which Footnote 13 shall read as follows:

"In an RA, RB and RC District, the footprint of a building or the portion thereof constructed on or after August 1, 2002, together with any building footprint existing prior to August 1, 2002, if any, used by a non-profit educational corporation for educational purposes, shall not exceed 2,500 square feet. The footprint of any building existing prior to August 1, 2002 is exempt from this restriction so long as it is not enlarged. As used in this paragraph, the term "footprint" shall mean the land area occupied by a building, at the surface of the ground, excluding open porches."

Matthew O'Brien the petitioner explained the article. The purpose of this article is not to limit non-profit organizations from their functions or from building. This would restrict the size that the non-profit can build. Dennis Ready wanted to know if this would apply to the Charter School? No, they are exempt. Pam Armstrong wanted to know if this would affect Camp Paul? He didn't know. The Finance Committee did not have any recommendation regarding this article. The Board of Selectmen recommended the article. Susan Carter, Chairman of the Planning Board read the Board's recommendation. The Planning Board held a public hearing on October 9, 2002 on the above mentioned article after advertising a legal notice in the Chelmsford Independent on September 19, and 26, 2002. The hearing was posted September 18, 2002. A copy of the advertisement was sent to all abutting municipalities and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. The Planning Board voted to recommend the zoning amendment to Town Meeting. The Planning Board's motion to recommend this article passed on a vote of 6-1. Numerous questions were asked. Brian Latina asked if the recent school that is located on Regina Dr had any thing to do with this article. Brian O'Brien said it was the motivation. This would not prevent non-profit organizations from locating a neighborhood; just limit the size of any renovations that may be made to the property. The Moderator asked if there was any need to hear further discussion. Hearing none he asked for a vote by way of a show of hands. The Moderator declared that the **motion carried**, by recognizing the 2/3's vote by-law.

UNDER ARTICLE 21. Dwight Hayward moved to waive the reading of the article. The Moderator asked for a show of hands, motion carried.

Joel Karp, petitioner of the article explained the article. The purpose is to acknowledge the work and extra efforts done by individuals or committees. The article requires that Committee consist of eighteen members. After talking to various people it was felt that the membership should be

reduced from eighteen members to ten. Brian Latina moved to amend the article by amending Section 4 Membership Line by deleting #4 and #6 in their entirety and submitting the following:

4. The Chelmsford Alumni Association, Inc. shall choose of the members of its organization for a period of one year.
6. The Town Moderator shall appoint a Justice of the Peace. Said appointment shall be for 3 years and the individual selected shall serve as the chairman of the committee until it is organized, establishes rules as provided by the bylaw and elects a new chairman.

John Emerson spoke against the amendment and the article. Mark Connor questioned the need for Fire and Police to have another recognizing committee when they already had their own. Joel Karp explained that this would be another means of putting focus on an issue, avoid things falling through the cracks. The Moderator asked for the various committee recommendations. The Finance Committee had no recommendation on the article or the motion to amend. The Board of Selectmen did not recommend the article or the motion to amend. The Moderator asked if there was any need to hear any further debate, hearing none he asked for a show of hands on the motion to amend. **Motion defeated.** Mary Tiano spoke in favor of the article. She felt it was a good idea and commended Joel Karp for submitting the article. John Coppinger spoke against the article. He said that the Chelmsford Lodge of Elks recognizes citizens all the time and asked that the article be defeated. The Moderator asked if there was any need to hear any further debate, hearing none he asked for a show of hands on the motion to amend. **Motion defeated.** The article reads as follows:

Brian Latina moved that the Town vote the following:

Section 1 Title

The establishment of a permanent committee under the authority and supervision of the Town Meeting of the Town of Chelmsford. Said Committee shall be known as the "THE RECOGNITION COMMITTEE"

Section 2 Purpose

The committee shall recognize, commemorate, memorialize and otherwise note, and acknowledge contributions, actions or activities made by residents, organizations and other entities from the Town of Chelmsford or to the Town of Chelmsford.

Section 3 Authority and Powers

The Committee may carry out its purpose through the issuance of awards, certificates, plaques or the naming of geographic sites, locations, features or dates. Such naming may be permanent or for a specified period of time.

The permanent naming of geographic sites, locations, or features or dates shall be subject to the ratification of the Town Meeting. Such items may be ratified as a specific warrant article submitted to the Board of Selectman for inclusion at any regular or special town meeting or during Committee Reports at any session of a regular or special town meeting. Such reports shall be in writing.

Nothing in this section shall diminish the authority of any other Department or Committee of the Town from performing its activities in the naming of streets or similar functions. If a dispute shall arise between this committee and any other entity of the Town such matters shall be brought before the Town Meeting for resolution by a vote of the elected Town Meeting Representatives.

Section 4 Membership.

Each Precinct of the Town shall select one member of its delegation to serve on the Committee. Such election shall be held within 30 days of the approval of this Bylaw. If a Precinct shall fail to select a member the Town Moderator shall appoint a member. Such member shall serve until an election is held or the term of office expires.

The Town Meeting Representatives shall serve for a period of three years or until they are no longer Members of the Town Meeting.

In order to provide a widespread representation on the Committee the following appointments shall also be made:

1. The Board of Selectman shall choose one of its members to serve for a period of one year.
2. The School Board shall choose one of its members to serve for a period of one year.
3. The Board of Directors of the Chelmsford Historical Society shall choose one of the members of its organization to serve for a period of one year.
4. A representative employee shall be chosen from each of the following: the School Department; Municipal Government; the Uniformed Public Safety Officers (police and fire) for a period of one year. Said appointments shall be made by the Town Moderator.
5. A member of the Active Reserves, National Guard or a current member of the armed forces of the United States and an honorably discharged Veteran of the United States Armed Forces. Said appoints shall be made by the Board of Directors of the Chelmsford Memorial Park, Inc. with the advice of the Town's Veteran Agent.
6. The Town Moderator shall appoint a Justice of the Peace who at the time of initial appoint is neither a Town Meeting Representative, Town Employee or former town employee. Said appointment shall be for 3 years and the individual selected shall serve as the chairman of the committee until it is organized, establishes rules as provided by this bylaw and elects a new chairman.
7. The Town moderator shall appoint three residents of the Town of Chelmsford who are neither Town Meeting Representatives or current employees or elected officials of the Town. One appointment shall be for 3 years, one appointment shall be for 2 years and the final appointment shall be for 1 year. Subsequent reappointments and appointments will be for 3 years.
8. The Town Manager shall appoint one town employee for a period of one year.

Section 5. Organization.

The Committee shall establish a set of rules of organization and operation. Said rules shall be submitted to the next meeting of the Town Meeting for adoption.

Section 6 Appropriations.

The Town Manager shall make provision in his budget to account for any appropriations the Town Meeting shall make to this Committee to accomplish its task.

Section 7. Other Sources of Funds.

The Committee is authorized to apply for grants and obtain funding as permitted and provided by law and/or custom. Such funds shall be maintained by the Town in an account for use by and under the direction of the Committee. Such funds shall remain permanently available to the Committee regardless of the fiscal year they were obtained, raised or appropriate.

UNDER ARTICLE 22. Dwight Hayward moved to waive the reading of the article. The Moderator asked for a show of hands, motion carried.

The Manager explained that this article is to allow the Town to move forward to improve the management structure at the Police Department. This would remove the Deputy Police Chief from the Civil Service System and allow the Town to pick a person not based on test score. The Moderator asked for the various committee recommendations. The Finance Committee had no recommendation on the article. The Board of Selectmen recommends the article. Mark Connors questioned if the Police Chief would be the one who picked the Deputy Chief. Yes, most likely chose from the ranks of Sergeants or Lieutenants. Presently the choice is done by test scores. Will Perry questioned if this position is going to be filled right away. The Manager explained that if approved this would begin the process of removing it from the Civil Service structure, then once the position is ready to be filled everything will be in place. Norman Aubert questioned the proposed salary. The Manager replied between \$75,000 and \$80,000. The earliest this would go into effect would be FY2004, would not be adding personnel. Norman Aubert expressed interest on going on a Public Safety Study Committee if one is formed. The Manager said he'd note the request. Katherine Curran questioned how the Civil Service list is compiled. The Manager explained that individuals take written tests and the scores are rated high to low. The top three names are submitted and the choice is made. Katherine Curran spoke in favor of the Civil Service process. She felt that only qualified candidates pass the Civil Service test and that is how the choice should be made. Chief McCusker said that there are plenty of qualified people who haven't gone through the testing and should have a chance for consideration. The Moderator asked if there was any need to hear further discussion, hearing none he asked for a vote by way of a show of hands, **motion carried.** The article reads as follows:

Town Manager Bernard F. Lynch moved that the Town vote to authorize filing of special legislation with the General Court of Massachusetts to exempt the position of Deputy Police Chief from the provisions of Chapter 31 of the General Laws as follows:

An Act Exempting the Position of Deputy Police Chief of
Chelmsford from Civil Service

Be it enacted by the General Court of Massachusetts,

Section 1. The position of deputy police chief in the Town of Chelmsford shall be exempt from the provisions of chapter thirty-one of the General Laws.

Section 2. The provisions of Section One shall not impair the civil service status of any person holding the position of deputy police chief in said town on the effective date of this act.

Section 3. This act shall take effect upon its passage.

The General Court may only make clerical or editorial changes of form to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court. The Board of Selectmen is hereby authorized to approve amendments, which shall be within the scope of the general objectives of this petition.

UNDER ARTICLE 23. Bernard Lynch moved that the Town vote to amend the Town of Chelmsford Code by adding the following proposed chapter:

Chapter 12, Annual Report

§ 12-1. Timeframe for printing.

The Town shall provide for the printing of the annual report pursuant to M.G.L. c. 40, § 49 on a fiscal-year basis within 90 days of the close of the fiscal year.

The Manager explained the budget is based on a fiscal year and this would enable the Town to report on a fiscal year basis Vs a calendar year. . The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further discussion. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

UNDER ARTICLE 24. Town Manager Bernard F. Lynch moved that the Town vote pursuant to Massachusetts General Laws, Chapter 82, Section 21, that public conveyance and necessity require that a portion of the accepted way known as Scotty Hollow Drive as hereinafter described shall be discontinued and all public rights in any and all such portions of said streets, and/or town ways relative to said street shall be henceforth discontinued and abandoned; said street is more particularly described as follows: That portion of Scotty Hollow Drive on a plan entitled "Proposed Discontinuance Parcel 'A', Town Meeting, 2002, on file in the Town Engineer's Office, and to transfer the care, custody, management, and control of such parcel of land to the Board of Selectmen to be held for the purpose of conveyance, and authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any, held by the Town in the above parcel of land located on the discontinued portion of said way/road, provided that said discontinuance shall not take effect until the Board of Selectmen has conveyed all rights, title and interest in said parcel, and the Town has entered into an indemnification agreement as required by chapter 82, section 24 of the general laws.

The Manager explained that this article was withdrawn from the Spring Town Meeting. The residents of the Scotty Hollow Condominium Association move their cars during a snowstorm so the Association's contractor can plow the parking places. Car owners park in the cul-de-sac, which is part of the accepted way and the Town's responsibility to plow. This violates the snow emergency by-law, which results in cars being towed. After dialog with the Association it has been agreed upon that they will maintain the cul-de-sac and the Town will only plow as far as Kelschill Dr. George Merrill said that the North Congo Church and the Town both owned land beyond the cul-de-sac there is a right of way to this land. If there is to be any future development he was concern that "all rights" would be removed. He asked Town Counsel for an opinion. Town Counsel John Georgio said that it would be addressed in the deed to protect the Town. He would look into deeds to make sure that there will be no adversity to the present abutter. The Moderator asked for the various boards' recommendations. The Finance Committee had no recommendation on the article. The Board of Selectmen was in favor of the article. Susan Carter, Chairman of the Planning Board read the Board's recommendation:

The Planning Board of the Town of Chelmsford, at public meetings held on September 25th and October 9, 2002 discussed the above-mentioned article to discontinue a portion of Scotty Hollow Dr. Pursuant to G.L. c.41 s 81 (I), the Planning Board voted to recommend to Town Meeting in favor of the discontinuance of said portion of Scotty Hollow Dr. The Planning Board's motion to recommend the article, passed unanimously. The Moderator asked if there was any need to hear further debate.

Hearing none, he asked for a show of hands on the article. The Moderator declared that the **motion carried**, by recognizing the 2/3's vote by-law.

UNDER ARTICLE 25. Selectman William F. Dalton moved that the Town vote to authorize the Board of Selectmen to convey in accordance with Massachusetts General Law Chapter 30B, for consideration to be determined, all right, title, and interest, if any held by the Town in all or a portion of a certain parcel of land on Mill Road, shown as Lot 113 on Assessors's Map 397, Block 4 containing 3.4 acres more or less, and more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 02906, Page 0246.

The Town Manager explained that an abuter to the property recently tied into the Town's sewer system. After this was done it was discovered that the pipe was not on their property. It ended up being 1 to 1 1/2 feet over on Town property. The choice was either to make him move the pipe, sell the strip of land, or grant an utility easement. The utility easement is the chosen route. The property owner will be responsible for the expenses occurred from surveying the land to recording the title etc. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked if there was any need to hear further discussion. Hearing none he asked for a vote by way of a show of hands, **motion carried, unanimously.**

The Moderator made a point of order prior to the next article. He announced that the Annual Spring Town Meeting would begin on Monday April 28, 2003. He announced that the upcoming trick or treat hours would be on October 31st from 5pm to 8pm. And finally, absentee ballots are now available at the Town Clerk's Office for the November 5th election. Deadline is 12 noon on November 4th.

UNDER ARTICLE 26. The Moderator made another point of order. He announced that he did not have a signed motion for this article therefore it was being dismissed. The article reads as follows. To see if the Town will vote to amend the Chelmsford Zoning Map by removing the following parcel of land from the Limited Industrial District and establishing the same as a Roadside Commercial District:

The land in Chelmsford, Middlesex County, Massachusetts situated on the Northerly side of Groton Road (Route 40) and being a portion Parcel A shown on the plan entitled "Plan of Land in Chelmsford & Westford Quarry, 275 Groton Road, North Chelmsford, MA 01863 by LandTech Consultants, Inc., Scale: 1" = 200' dated October 3, 2002 and recorded with Middlesex North Registry of Deeds in Plan Book 205, Plan 53, said portion being bounded and described as follows:

Beginning at a point on the northeasterly side of U.S. Route 3; thence

S 31° 24' 38" E a distance of twelve hundred feet (1200) to a point; thence

S 47° 20' 39" W a distance of three hundred twenty five and seventy eight hundredths feet (325.78) to a point; thence

S 47° 43' 49" W a distance of one hundred eighty eight and two hundredths feet (188.02); thence

S 10° 01' 19" E a distance of one hundred forty one and eighty four hundredths (141.84); thence



S 47° 38' 20" W a distance of three hundred twenty and eighty hundredths feet (320.80); thence

N 88° 01' 01" W the distance to the town line between Westford and Chelmsford a distance of approximately twenty five (25.00) feet; thence

Running northeasterly along the town line between Westford and Chelmsford a distance of approximately one thousand nine hundred and fifty feet (1,950.00) to a point; thence

N 56° 54' 08" E the distance from the town line between Westford and Chelmsford a distance of approximately two hundred and thirty seven feet (237.00) to the point of beginning on the northeasterly side of U.S. Route 3.

Selectman Michael McCall moved to adjourn the Town Meeting sine die. Motion carried, unanimously. The meeting adjourned at 9:30 PM.

Dennis E. McHugh, Moderator

Elizabeth L. Delaney, Town Clerk



COMMONWEALTH OF MASSACHUSETTS
William Francis Galvin, Secretary of the Commonwealth

WARRANT FOR STATE PRIMARY

SS. MIDDLESEX

To either of the Constables of the Town of Chelmsford

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said town who are qualified to vote in Primaries to vote at:

Precinct 1	Town Office Building Gym, 50 Billerica Road
Precinct 2	Harrington School Gym, 120 Richardson Road
Precinct 3	Harrington School Gym, 120 Richardson Road
Precinct 4	Westlands School Café, 170 Dalton Road
Precinct 5	Byam School Café, 25 Maple Road
Precinct 6	Westlands School Café, 170 Dalton Road
Precinct 7	McCarthy Middle School Little Gym, 250 North Road
Precinct 8	McCarthy Middle School Little Gym, 250 North Road
Precinct 9	Town Office Building Gym, 50 Billerica Road

On **TUESDAY, THE FIFTH DAY OF NOVEMBER, 2002**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Primary for the candidates of political parties for the following offices:

U.S. SENATOR	FOR THE COMMONWEALTH
GOVERNOR.....	FOR THE COMMONWEALTH
LT. GOVERNOR.....	FOR THE COMMONWEALTH
ATTORNEY GENERAL.....	FOR THE COMMONWEALTH
SECRETARY.....	FOR THE COMMONWEALTH
TREASURER.....	FOR THE COMMONWEALTH
AUDITOR.....	FOR THE COMMONWEALTH
REPRESENTATIVE IN CONGRESS.....	Fifth Congressional District
COUNCILLOR.....	Third Councillor District
SENATOR IN GENERAL COURT.....	3 RD Middlesex Senatorial District
REPRESENTATIVE IN GENERAL COURT (Pcts. 3, 5 & 7)	2 nd Middlesex District
REPRESENTATIVE IN GENERAL COURT (Pcts. 1 & 9)	14 th Middlesex District
REPRESENTATIVE IN GENERAL COURT (Pcts. 2, 6 & 8)	16 th Middlesex District
REPRESENTATIVE IN GENERAL COURT (Pct. 4).....	17 th Middlesex District
DISTRICT ATTORNEY.....	Northern District
REGISTER OF PROBATE.....	Middlesex County

QUESTIONS

#1 – Eliminating State personal income tax.

#2 – English language education in public schools.

#3 – Taxpayer funding for political campaigns. (Question is non-binding)

#4 – Exempt from 2 ½ amounts required to pay for bonds to design and construct Phase I of the Chelmsford Secondary Schools Building Project.

#5 – Shall the state representative from 14th Middlesex District be instructed not to vote for Thomas M. Finneran, speaker of the State House (Pct. 1 and 9 only. Question is non-binding).

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting. Given under our hands this 21 day of Oct 2002.

William F. Walker
Richard J. McCall

Thomas E. Moore
Philip A. Edwards

Stear H. Greenleaf

Selectmen of Chelmsford

COMMONWEALTH OF MASSACHUSETTS

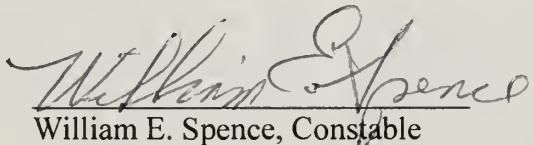
MIDDLESEX, SS.

Oct 23, 2002

Date

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Town Office Building Gym, Harrington School Gymnasium, Harrington School Gymnasium, Westlands School Cafetorium, Byam School Cafetorium, Westlands School Cafetorium, McCarthy Middle School Small Gymnasium, McCarthy Middle School Small Gymnasium, Town Office Building Gym, and Town Office Building Lobby.

Signed:



William E. Spence

Town of Chelmsford State Election November 5th, 2002

Note: original vote of 14,989 was
amended on Nov 15 @5PM due to 1 Out of
Country ballot for Pct 8 being
counted. Official # is below

SENATOR IN CONGRESS

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
BLANKS	184	91	157	137	135	148	193	166	160	1,371
JOHN F KERRY	1,050	934	1,097	1,032	1,088	1,280	1,285	1,207	1,206	10,179
MICHAEL E CLOUD	381	258	307	332	375	384	472	406	444	3,359
RANDALL FORSBERG	16	5	7	1	20	7	7	8	8	79
WRITE-IN VOTES	0	0	0	0	2	0	0	0	0	2
TOTAL	1,631	1,288	1,568	1,502	1,620	1,819	1,957	1,787	1,818	14,990

GOVERNOR & LT.GOVERNOR

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
BLANKS	12	11	19	13	15	18	18	19	17	142
HOWELL & AUCCIN	33	10	19	19	18	19	20	19	19	176
O'BRIEN & GABRIELI	530	477	555	522	532	634	633	595	562	5,040
ROMNEY & HEALEY	985	721	914	899	991	1,073	1,223	1,083	1,138	9,027
STEIN & LORENZEN	58	58	48	43	54	59	56	56	72	504
JOHNSON & SCHEBEL	13	8	13	6	10	16	7	15	10	98
TOLLMAN	0	3	0	0	0	0	0	0	0	3
WRITE-IN VOTES	0	0	0	0	0	0	0	0	0	0
TOTAL	1,631	1,288	1,568	1,502	1,620	1,819	1,957	1,787	1,818	14,990

ATTORNEY GENERAL

	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
BLANKS	473	312	436	403	481	466	573	488	533	4,165
THOMAS F REILLY	1,150	969	1,129	1,099	1,139	1,353	1,384	1,299	1,283	10,805
TARR	0	0	0	0	0	0	0	0	2	2
WRITE-IN VOTES	8	7	3	0	0	0	0	0	0	18
TOTAL	1,631	1,288	1,568	1,502	1,620	1,819	1,957	1,787	1,818	14,990



State Election November 5th, 2002

SECRETARY OF STATE		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
BLANKS		177	102	168	136	163	171	190	165	165	1,437
WILLIAM F GALVIN		974	864	1,004	969	980	1,164	1,188	1,113	1,087	9,343
JACK E ROBINSON, III		480	321	396	397	477	484	579	509	566	4,209
WRITE-IN VOTES		0	1	0	0	0	0	0	0	1	1
TOTAL		1,631	1,288	1,568	1,502	1,620	1,819	1,957	1,787	1,818	14,990
TREASURER		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
BLANKS		123	90	140	108	116	130	124	103	113	1,047
TIMOTHY P CAHILL		607	571	619	617	661	744	737	726	681	5,963
DANIEL A GRABAUSKAS		811	536	709	692	732	808	1,010	867	911	7,076
JAMES O'KEEFE		90	91	100	85	111	137	86	91	113	904
WRITE-IN VOTES		0	0	0	0	0	0	0	0	0	0
TOTAL		1,631	1,288	1,568	1,502	1,620	1,819	1,957	1,787	1,818	14,990
AUDITOR		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
BLANKS		279	174	274	236	260	257	312	244	262	2,298
A JOSEPH DeNUCCI		948	846	932	935	950	1,141	1,193	1,109	1,101	9,155
KAMAL JAIN		134	120	147	151	183	165	176	166	189	1,431
JOHN JAMES XENAKIS		270	148	214	180	227	256	276	268	264	2,103
SARGENT		0	0	0	0	0	0	0	0	2	2
WRITE-IN VOTES		0	0	1	0	0	0	0	0	0	1
TOTAL		1,631	1,288	1,568	1,502	1,620	1,819	1,957	1,787	1,818	14,990



State Election November 5th, 2002

REP. IN CONGRESS		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
COUNCILLOR		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
SENATOR IN GENERAL COURT		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
BLANKS		73	49	62	57	64	67	52	66	60	550
MARTIN T MEEHAN		842	733	861	831	850	990	1,041	985	932	8,065
ILANA FREEDMAN		84	71	61	65	87	87	64	75	85	679
CHARLES McCARTHY		632	434	584	549	619	675	800	661	741	5,695
WRITE-IN VOTES		0	1	0	0	0	0	0	0	0	1
TOTAL	1,631	1,288	1,568	1,502	1,620	1,819	1,957	1,787	1,818	14,990	
BLANKS		712	447	615	590	682	703	841	712	749	6,051
M.M. PETITTO DEVANEY		919	838	952	912	938	1,116	1,114	1,075	1,067	8,931
G SOPEL		0	0	0	0	0	0	2	0	0	2
TARR		0	0	0	0	0	0	0	0	2	2
WRITE-IN VOTES		0	3	1	0	0	0	0	0	0	4
TOTAL	1,631	1,288	1,568	1,502	1,620	1,819	1,957	1,787	1,818	14,990	
BLANKS		608	399	492	522	554	581	680	630	655	5,121
SUSAN C FARGO		1,023	881	1,065	980	1,063	1,238	1,275	1,157	1,161	9,843
PHILLIP ELIOPOLOUS		0	0	0	0	3	0	0	0	0	3
G SOPEL		0	0	0	0	0	0	2	0	0	2
TARR		0	0	0	0	0	0	0	0	2	2
WRITE-IN VOTES		0	8	11	0	0	0	0	0	0	19
TOTAL	1,631	1,288	1,568	1,502	1,620	1,819	1,957	1,787	1,818	14,990	



State Election November 5th, 2002

REP. IN GENERAL COURT 1,9		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
BLANKS		170	0	0	0	0	0	0	0	181	351
CORY ATKINS		700	0	0	0	0	0	0	0	764	1,464
PETER J UNITT, III		761	0	0	0	0	0	0	0	871	1,632
CAROL CLEVEN		0	0	0	0	0	0	0	0	2	2
WRITE-IN VOTES		0	0	0	0	0	0	0	0	0	0
TOTAL		1,631	0	0	0	0	0	0	1,818	3,449	
REP. IN GENERAL COURT 2,6,8		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
BLANKS		0	134	0	0	0	175	0	176	0	485
THOMAS A GOLDEN, JR		0	707	0	0	0	0	948	0	2,715	
HARRY H GARAVANIAN		0	446	0	0	0	581	0	663	0	1,690
CAROL CLEVEN		0	0	0	0	0	3	0	0	0	3
WRITE-IN VOTES		0	1	0	0	0	0	0	0	0	1
TOTAL		0	1,288	0	0	0	1,819	0	1,787	0	4,894
REP. IN GENERAL COURT 3,5,7		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
BLANKS		0	0	541	0	604	0	742	0	0	1,887
GEOFFREY D HALL		0	0	1,022	0	1,016	0	1,208	0	0	3,246
CAROL CLEVEN		0	0	0	0	0	0	5	0	0	5
G SOPEL		0	0	0	0	0	0	2	0	0	2
WRITE-IN VOTES		0	0	5	0	0	0	0	0	0	5
TOTAL		0	0	1,568	0	1,620	0	1,957	0	0	5,145



State Election November 5th, 2002

REP. IN GENERAL COURT 4		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
BLANKS		0	0	0	153	0	0	0	0	0	153
DAVID M NANGLE		0	0	0	664	0	0	0	0	0	664
ERYK C BOSTON		0	0	0	325	0	0	0	0	0	325
CLIFFORD R KRIEGER		0	0	0	360	0	0	0	0	0	360
WRITE-IN VOTES		0	0	0	0	0	0	0	0	0	0
TOTAL		0	0	0	1,502	0	0	0	0	0	1,502
DISTRICT ATTORNEY		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
BLANKS		514	335	463	444	505	479	605	522	566	4,433
MARTHA COAKLEY		1,117	947	1,105	1,058	1,115	1,340	1,348	1,265	1,250	10,545
TARR		0	0	0	0	0	0	2	0	2	4
SUSAN GATES		0	0	0	0	0	0	2	0	0	2
WRITE-IN VOTES		0	6	0	0	0	0	0	0	0	6
TOTAL		1,631	1,288	1,568	1,502	1,620	1,819	1,957	1,787	1,818	14,990
REGISTER OF PROBATE		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
BLANKS		274	190	270	244	287	282	323	235	268	2,373
JOHN R BUONOMO		665	650	686	695	680	818	779	818	743	6,534
JOHN W LAMBERT		692	448	612	563	653	719	855	734	807	6,083
WRITE-IN VOTES		0	0	0	0	0	0	0	0	0	0
TOTAL		1,631	1,288	1,568	1,502	1,620	1,819	1,957	1,787	1,818	14,990



State Election November 5th, 2002

QUESTION 1		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
BLANKS		130	74	96	88	102	148	87	122	104	951
YES		691	556	641	682	712	760	800	789	794	6,425
NO		810	658	831	732	806	911	1,070	876	920	7,614
WRITE-IN VOTES		0	0	0	0	0	0	0	0	0	0
TOTAL		1,631	1,288	1,568	1,502	1,620	1,819	1,957	1,787	1,818	14,990
QUESTION 2		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
BLANKS		124	59	80	75	85	80	63	98	102	766
YES		1,135	918	1,135	1,132	1,126	1,293	1,423	1,264	1,259	10,685
NO		372	311	353	295	409	446	471	425	457	3,539
WRITE-IN VOTES		0	0	0	0	0	0	0	0	0	0
TOTAL		1,631	1,288	1,568	1,502	1,620	1,819	1,957	1,787	1,818	14,990
QUESTION 3		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
BLANKS		68	36	59	63	63	59	63	73	61	545
YES		368	266	292	277	412	394	500	382	400	3,291
NO		1,195	986	1,217	1,162	1,145	1,366	1,394	1,332	1,357	11,154
WRITE-IN VOTES		0	0	0	0	0	0	0	0	0	0
TOTAL		1,631	1,288	1,568	1,502	1,620	1,819	1,957	1,787	1,818	14,990



State Election November 5th, 2002

TOWN QUESTION 4		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
BLANKS		118	94	63	75	71	74	57	101	58	711
YES		748	495	671	637	813	845	1,038	771	900	6,918
NO		765	699	834	790	736	900	862	915	860	7,361
WRITE-IN VOTES		0	0	0	0	0	0	0	0	0	0
TOTAL		1,631	1,288	1,568	1,502	1,620	1,819	1,957	1,787	1,818	14,990
QUESTION 5 - SPEAKER		Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	Total
BLANKS		234	0	0	0	0	0	0	218	452	
YES		902	0	0	0	0	0	0	1,076	1,978	
NO		495	0	0	0	0	0	0	524	1,019	
WRITE-IN VOTES		0	0	0	0	0	0	0	0	0	0
TOTAL		1,631	0	0	0	0	0	0	1,818	3,449	

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